



CYPRUS RESEARCH CENTRE
TEXTS AND STUDIES IN THE HISTORY OF CYPRUS

XXXIX

The Synodicum Nicosiense
and Other Documents of the
Latin Church of Cyprus,
1196-1373

SELECTED AND TRANSLATED BY
CHRISTOPHER SCHABEL

NICOSIA
2001

**Jacket Design by
Peter Barron**

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ISBN: 9963-0-8073-I

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Printed by S. Livadiotis Ltd., Nicosia

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ACKNOWLEDGMENTS

The director of the Cyprus Research Centre, Dr Constantinos Yiangoullis, proposed that I continue my work on the documents of the Latin Church of Cyprus, which I began in collaboration with Dr Nicholas Coureas on the *Cartulary of the Cathedral of Holy Wisdom of Nicosia*. Dr Yiangoullis is to be congratulated for his aggressive efforts in getting outside scholars to move Cypriology forward. The present project, a reprint and English translation of the *Synodicum Nicosiense* and an English translation of other significant documents of the Latin Church of Cyprus concerning legislation and the Greeks, has received generous financial support from the Ministry of Education and Culture, via Dr Yiangoullis and the CRC. Future volumes will include a complete edition of papal letters involving Cyprus, 1196-1314, based on the CD-Rom collection of the Vatican Registers purchased by the CRC. Finally, the long-term aim to is locate and publish other documents of the local Latin Church, in the tradition begun by Count Louis de Mas Latrie and continued by Professor Jean Richard.

I obtained photocopies of the older editions of the *Synodicum Nicosiense* and of published papal registers from the following libraries, to which I express my gratitude: Special Collections of the University of Iowa Libraries; St James College Library, University of Oxford (especially Angela Williams); the Biblioteca Antoniana in Padua; Notre Dame University Libraries; the University of Chicago Libraries; Northwestern University Library; the Archbishop Makarios III Foundation; and the library of the Cyprus Research Centre. The ILL office at Iowa State University was also very helpful. I thank the Vatican Archives for use of their CD-Roms to correct the errors of the documents translated from the editions in the *Acta Pontificum*.

Fritz Saaby Pedersen, Professor of Classics at the University of Odense and expert in medieval astronomy, labored long and hard to prevent me from embarrassing myself too much with the translation of the *Synodicum*, an impossible task. William Owen Duba, with vast diplomatic experience, made similar efforts with the *Cartulary* documents. Theodoros Mavroyiannis read through the introduction and gave me the confidence to publish it. Peter Barron created the beautiful dust jacket. Various other forms of assistance and encouragement were generously provided by Evangelos Chrysos, Nicholas Coureas, Russell Friedman, Angel Nicolaou-Konnari, Jean Richard, my students, and my family.

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Abbreviations:

Cartulary = Coureas, N., and C. Schabel, eds., *The Cartulary of the Cathedral of Holy Wisdom of Nicosia* (Nicosia 1997).

CICO = *Pontificia Commissio ad redigendum codicem iuris canonici orientalis*.

EKEE = *Επετηρίδα του Κέντρου Επιστημονικών Ερευνών*.

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INTRODUCTION TO THE TRANSLATION AND THE TEXTS

Sources for the Ecclesiastical History of Frankish Cyprus and the Principle of Selection

The foundation of historical investigation is, of course, source material. In the past century the ecclesiastical history of the Kingdom of Cyprus from the time of its establishment in 1196 to the Genoese invasion in 1374 has been treated literally dozens of times, and usually historians have simply gone through the same episodes over and over again. At this point it seems more profitable to concentrate on the sources for this topic. The materials consist primarily of chronicles, letters, decrees, and synodal acts, which are not only in earlier versions of the modern languages Italian and French, but also in ecclesiastical Latin and in Byzantine and medieval Cypriot Greek. Most of these documents have been published in reliable modern editions. There are still two tasks to complete before all such documentary evidence can be made easily available to the researcher: (1) the edition of the remaining written sources, a future task, and (2) their collection and translation into modern languages, the present one.

The convenient gathering of primary source material needs no justification, as long as one remembers that such collections never replace the necessity for the study of the wider context of the documents. In the particular case of the ecclesiastical history of Frankish Cyprus, this means that any historian approaching the subject must be aware of the Greek sources and of the situation obtaining in western Europe, Byzantium, and the Middle East, especially in places where Greeks and Latins came into contact: Sicily and southern Italy, the Crusader States, the Latin Empire of Constantinople, Frankish Greece, and Venetian Crete. Since the centralization of the documents relating to Cyprus can easily lead to an analysis isolated from the secondary literature on Cyprus and from the secondary and primary works on the broader context, such collections have to be used with caution. From an historian's point of view, a horizontal, synchronic approach is to be preferred to a vertical, diachronic one, if a choice between the two has to be made.

The translation of this material is not only a desideratum for the usual reason, to reach the wider audience of the educated public and university students, but it is required in this specific case because of the variety of the languages and the international character of the field. Very few scholars are able to tackle the sources in old Italian, French, and Latin, on the one hand, and Byzantine and Cypriot Greek on the other, let alone the Arabic, Armenian, and other sources (the latter, thankfully, do not always tell us much about the ecclesiastical affairs of the island). Translation is one solution to break the monopoly of these brilliant

linguists. For purely practical reasons, International English appears to be the best choice for this topic at the beginning of the twenty-first century, being the second language of most Cypriots and many Europeans, and the first language of the United Kingdom, the United States, Canada, and Australia, the countries, one notes, that are most popular among Greek Cypriots of the *diaspora*. Of course Modern Greek translations, already available for some texts, will continue to be in demand.

Chronicles shed some light on the ecclesiastic affairs of Frankish Cyprus, and most have been published in modern editions: the Cypriot Greek chronicles of Leontios Makhairas and George Boustronios, the French texts of Philip of Novara and the *Gestes des Chiprois*, and the Italian narrative by Florio Bustron and those called *Amadi* and *Strambaldi* (or, more correctly, *Strambali*, an Italian translation of one manuscript of Makhairas's chronicle). Etienne de Lusignan's Italian work, also available in a slightly different French version, was written and published in the early modern period. New scholarly editions of Boustronios and Novara were published recently, and that of Makhairas is almost complete. New editions of the other works are needed. Makhairas, Boustronios, and Novara are already available in English translations (although it is hoped that corrigenda will be compiled on the basis of the new editions), but the remaining works have yet to be translated. Moreover, there are minor chronicles that have yet to be published at all. Aside from the major narratives of Cyprus, there are of course chronicles that have mere references to Cyprus. Ashgate has a new series *Crusade Texts in Translation*, and Peter Edbury and Helen Nicholson have put into English texts involving the Third Crusade that often concern Cyprus directly.¹

1. Leontios Makhairas, *Recital Concerning the Sweet Land of Cyprus, Entitled 'Chronicle'*, ed. and trans. Richard M. Dawkins, 2 vols. (Oxford 1932); the new edition utilizing a third ms., nearing completion, is headed by Michalis Pieris and Angel Konnari-Nicolaou. Using Sathas's edition (see below) and his own collations, Dawkins also translated *The Chronicle of George Boustronios 1456-1489* (Melbourne 1964), but this has now been re-edited with the text from each of the three mss. by George Kechagioglou, *Διήγησις Κρονίκας Κύπρου* (Nicosia 1997). Philip of Novara's work, recently re-edited by Silvio Melani, *Guerra di Federico II in oriente (1223-1242)* (Naples 1994), is available in the English translation from an old edition: John La Monte, trans., *The Wars of Frederick II against the Ibelins in Syria and Cyprus* (New York 1936). See also *Les Gestes des Chiprois. Recueil de chroniques françaises écrites en orient aux XIIIe et XIV siècles*, ed. Gaston Raynaud (Paris 1887). For Bustron, see Florio Bustron, *Chronique de l'île de Chypre*, ed. René de Mas Latrie (Paris 1886). *Amadi* and *Strambali* are available in René de Mas Latrie, ed., *Chroniques d'Amadi et de Strambaldi*, 2 vols. (Paris 1891-1893). On it being a translation from one of the Makhairas mss., see Angel Nicolaou-Konnari, "Η διασκευή του χειρογράφου της Ραβέννας της *Εξήγησις* του Λεοντίου Μαχαίρα και η *Narratione* του Διομήδη Strambali," forthcoming. Etienne de Lusignan's Italian text is *Chorograffia et breve historia universale dell' isola di Cipro* (Bologna 1573), corrected in the French version *Description de toute l'isle de Cypre* (Paris 1580). For Ashgate texts, see Helen Nicholson, trans., *Chronicle of the Third Crusade: A Translation of the Itinerarium Peregrinorum et Gesta Regis Ricardi* (Aldershot 1997), and Peter W. Edbury, trans., *The Conquest of Jerusalem and the Third Crusade: Sources in Translation* (Aldershot 1996).

Legal texts occasionally give information on ecclesiastical affairs. The proceedings of *The Trial of the Templars in Cyprus*, edited in 1887 by Konrad Schottmüller, based on a somewhat damaged manuscript, was recently translated into English in full. The Greek text of the Assizes of Jerusalem and of Cyprus, published long ago by Constantine Sathas, is being translated by Nicholas Coureas at present. Philip of Mézières's Latin *Life of St Peter Thomae* contains much information on church history in the reign of King Peter I, and Coureas plans to translate this valuable text in the near future.²

Of the Greek sources, Sathas published much in the nineteenth century, while Jean Darrouzès, Theodoros Papadopoulos, and Costas Hadjipsaltes, among others, added much more information in the twentieth century. The works of St Neophytos add much to our knowledge of the earliest phase of the co-existence of the Greek and Latin rites, and not all of them have been edited. B. Nerantzi-Barmazi recently collected many of the important Byzantine texts in Greek, and other ancillary works are available, some in English translation.³

The present work includes the Latin documents produced by the Latin Church itself that involve ecclesiastical legislation, doctrine, and the relations between the Latin Church, on the one hand, and the Greek and other Oriental Churches, on the other. Many texts of the Latin Church have been published, notably by Counts Louis de Mas Latrie and Wilpertus H. Rudt de Collenberg, and Jean Richard, that

2. For the Templar trial, see Konrad Schottmüller, *Die Untergang des Templer-Ordens mit Urkundlichen und Kritischen Beiträgen*, 2 vols. (Berlin 1887), and the translation of an improved text in Anne Gilmour-Bryson, trans., *The Trial of the Templars in Cyprus: A Complete English Edition* (Leiden 1998). For Mézières, see Philippe de Mézières, *The Life of Saint Peter Thomae*, ed. Joachim Smet (Rome 1954). For extensive English commentary, see F. J. Boehlke, *Pierre de Thomas, Scholar, Diplomat, and Crusader* (Philadelphia 1966). For Sathas, see following note.

3. Constantine Sathas published seven volumes of his *Μεσαιωνική Βιβλιοθήκη. Bibliotheca Graeca Medii Aevi* (Venice and Paris 1872-1894), including works of Neophytos and important letters, although his older editions of Makhairas, Boustronios, the *Martyrion Kyprion*, the *Assizes*, etc., have been and are being re-edited. Since then Jean Darrouzès has added texts in e.g. "Les manuscrits originaux de Chypre à la bibliothèque Nationale de Paris," *Revue des Études Byzantines* 8 (1951), 162-96, and 15 (1957), 131-68; "Notes pour servir à l'histoire de Chypre," *Κυπριακαὶ Σπουδαί* 17 (1953), 81-102, 20 (1956), 31-63, 22 (1958), 221-50, 23 (1959), 25-56; and "Textes synodaux chypriotes," *Revue des Études Byzantines* 37 (1979), 5-122. Papadopoulos critically edited "Μαρτύριον Κυπρίων" in *Τόμος αναμνηστικός ἐπὶ τῇ 50ετηρίδι τοῦ περιοδικοῦ 'Απόστολος Βαρνάβας' (1918-1968)* (Nicosia 1975), 307-38, with the two extant mss. (old editions described on p. 307). Hadjipsaltes added notes in articles in *Κυπριακαὶ Σπουδαί* (1951, 1958, and 1964). Gregorios A. Ioannides recently offered a critical edition of the Greek text of the *Bulla Cypria*, complete with extensive commentary, in "La Constitutio o Bulla Cypria Alexandri Papae IV del Barberinianus graecus 390," *Orientalia Christiana Periodica* 66 (2000), 335-72. B. Nerantzi-Barmazi, ed. *Σύνταγμα βυζαντινῶν πηγῶν Κυπριακῆς ιστορίας 4ος - 15ος αἰώνας* (Nicosia 1996). See also Costas Constantinides and Robert Browning, *Dated Greek Manuscripts from Cyprus to the Year 1571* (Nicosia 1993). For English translations of many important texts, see Hans A. Pohlsander, trans., *Greek Texts of the Fourth to Thirteenth Centuries* (Albany, NY, 1999). Claude D. Cobham, *Excerpta Cypria. Materials for a History of Cyprus* (Cambridge 1908), provided excerpts from Neophytos.

provide much information about the people and the inner financial and other workings of the Latin Church of Cyprus, but I am here concerned with legislation and the Greeks.⁴ There are three main sources for this present collection: the *Synodicum Nicosiense*, the *Cartulary of the Cathedral of Holy Wisdom of Nicosia*, and the Papal Registers.⁵ All of the *Synodicum Nicosiense*, to be discussed in detail below, involves ecclesiastical legislation, and so it will be translated in full in pages facing the Latin text, which is only available in seventeenth and eighteenth century editions. Aside from the Acts of the Council of Nablus of 1120, a few documents in the *Cartulary*, and the decrees of the papal legate Peter Capuano from 1204, all translated below in Part II (text X), the *Synodicum Nicosiense* contains all surviving ecclesiastical legislation from the Crusader States.⁶ Preserving documents dating from 1249 to 1354, the *Synodicum Nicosiense*, I believe, as it is now, was compiled around 1340, and two small items from the 1350s were added later. The *Cartulary*, dealing mostly with the economic and spiritual power of the archbishop and cathedral chapter, had been first compiled in 1322 by Archbishop John of Conti, and it remained for Archbishop Elias of Nabinaux to gather together conciliar acts and legatine decrees concerning doctrine, liturgical matters, and clerical morals, into the *Synodicum*. Outside of a few small excerpts, there is no translation of this important source.

The *Cartulary* was critically edited in its entirety in 1997.⁷ Here only the charters involving the relations between the Churches will be translated. An English summary of the *Cartulary* was published by John La Monte in 1930, and more extensive English summaries are given in the new edition. Thus the basic information is already in English for the charters that are not included here, some of which involve issues of ecclesiastical policy, such as benefices and the

4. Jean Richard's textual contributions are too many to mention here, but see especially his volumes *Chypre sous les Lusignans: Documents Chypriotes des Archives du Vatican (XIVe et XVe siècles)* (Paris 1962), and for a later period (with Theodoros Papadopoulos), *Le livre des remembrances de la Secrète du Royaume de Chypre (1468-1469)* (Nicosia 1983). For Mas Latrie, *Histoire de l'île de Chypre sous le règne de la Maison de Lusignan*, vols 2-3. (Paris 1852-1855); *Documents nouveaux servant de preuves à l'histoire de l'île de Chypre sous le règne des Princes de la Maison de Lusignan*, in *Coll. de documents inédits, Mélanges historiques*, IV (Paris 1882), 343-619; "Nouvelles preuves de l'histoire de Chypre," in *Bibliothèque de l'Ecole des Chartes* 32-34 (1873), 1-79; 35 (1874), 1-60. For Rudt de Collenberg's work, see the list in T. Papadopoulos, ed., *Ιστορία της Κύπρου Ε': Μεσαιωνικόν Βασίλειον, Ενετοκρατία* (Nicosia 1996), 1541-3.

5. On the value of these, see Louis de Mas Latrie "Histoire des Archevêques latins de l'île de Chypre," in *Archives de l'Orient latin* II (Paris 1884), 259.

6. According to Benjamin Z. Kedar, "On the Origins of the Earliest Laws of Frankish Jerusalem: The Canon of the Council of Nablus, 1120," *Speculum* 74 (1999), 310 (text of canons on pp. 331-4), and "Ecclesiastical Legislation in the Kingdom of Jerusalem: the Statutes of Jaffa (1253) and Acre (1254)," in Peter Edbury, ed., *Crusade and Settlement: Papers Read at the First Conference of the Society for the Study of the Crusades and the Latin East and Presented to R.C. Smail* (Cardiff 1985), 225.

7. *The Cartulary of the Cathedral of Holy Wisdom of Nicosia*, eds. Nicholas Coureas and Christopher Schabel (Nicosia 1997).

relationship between the archbishop of Nicosia and papal legates. As in the case of the *Synodicum*, a few excerpts have been translated already, but nothing substantial. Even the agreements of 1220 and 1222 at Limassol and Famagusta respectively, the important letter of Innocent IV to the legate Eudes of Châteauroux of 1254, and the *Bulla Cypria* of 1260 have not been translated into English in full. The recent (2000) “translation” of the *Cartulary* by Louis Roberts is actually an unfortunate example of plagiarism: he reprints La Monte’s summary without attribution. Still, the four Latin documents that La Monte actually edited and printed (out of the *Cartulary*’s 140) were translated by Roberts, although they are unrelated to the themes of this collection.⁸

8. The register is John La Monte, “A Register of the Cartulary of the Cathedral of St Sophia of Nicosia,” *Byzantion* 5 (1929-1930), 439-522. Louis Roberts, trans., *Latin Texts from the First Century B.C. to the Seventeenth Century A.D.* (=Sources for the History of Cyprus, 8, series eds. Paul W. Wallace and Andreas G. Orphanides) (Albany, NY: Greece and Cyprus Research Center 2000), xviii + 272pp., on pp. 196-229 reproduces most of La Monte’s article verbatim, including footnotes, except that wherever La Monte gave a two or three-word Latin incipit, Roberts senselessly translates it into English. The four documents that are translated are *Cartulary* #50, 53-54, and 59 (La Monte’s #38-9, 43, and 45, on La Monte’s pp. 492-9, or pp. 206-9 in Roberts, who also reproduces the English summaries of the same documents in La Monte’s register), although Roberts does not cite La Monte as his source. Roberts does cite La Monte’s article once, but he gives no indication that he is taking over his text verbatim. Most worrisome is the fact that Roberts passes off the plagiarized text as a translation from the Latin, rather than the mere summary that it actually is, and in some cases the original documents are not even Latin. – There are also problems with the rest of Roberts’ volume. He borrows heavily from Cobham’s translations of other Latin documents in *Excerpta Cypria* (1908), again without attribution, but although Roberts’ volume was published in 2000, he does not appear to plagiarize from the recent translations of Edbury (1996), Nicholson (1997), or, most surprisingly, Anne Gilmore-Bryson (1998), because he is apparently unaware of their existence (pp. 233-67 are from the trial of the Templars in Cyprus, which Gilmore-Bryson had translated in full). Roberts is also unaware of the 1997 publication of the full *Cartulary*, but neither does he go to Mas Latrie’s nineteenth-century editions of many of the important documents in the *Cartulary*, although he copies La Monte’s citations of them. Of course, the full Latin text of many of these important documents has also been available in the widely accessible volumes of the CICO and BEFAR, published in the twentieth century, but Roberts does not use these either. – Where Roberts provides a service in translating modern – but not medieval – Latin summaries of documents in Reinhold Röhricht, *Regesta Regni Hierosolymitani (1097-1291)*, 2 vols. (Innsbruck 1893-1904), he also reproduces the references to Mas Latrie, again not realizing that Mas Latrie has full texts. Nor does he seem to know that many of these documents are also in the *Cartulary* (despite “his” references to Röhricht in the *Cartulary* section) and so in many cases Roberts has presented two different English summaries of the same documents in the same volume, one taken directly from La Monte, the other translated from a modern Latin summary. That is, 21 documents from Robert’s *Regesta* section (pp. 64-77), #2, 4, 7, 18, 21, 22, 24, 25, 28, 29, 31, 32, 38, 39, 41, 43, 47, 54, 57, 60, and 61, are also in Robert’s *Cartulary* section (pp. 196-222). (Also, on pp. 229-30 Roberts again summarizes the *Bulla Cypria* after doing so in the *Cartulary* section). In some cases of the *Regesta* documents different dates are even given (e.g. for #61 Roberts gives 1287 as the date, but has the correct 1297 in the *Cartulary* section; La Monte realized that Mas Latrie had corrected the date after publishing the text, but Röhricht did not) and names are often spelled differently (e.g. Aimery’s). Translating errors are, of course, all the more striking when a ready comparison is at hand in the same volume. For example, with #2, La Monte tells us correctly in the *Cartulary* section (#1, pp. 196-7) that King Aimery, with the consent of his wife Echive (further identified in a footnote), grants something to Abbot Peter and the canons (i.e. men) of the Temple, but in the *Regesta* section Roberts’ translation has it that “Aimery, king of Cyprus, with the consent of his wife, grants to Peter Echiva, of the abbey of the Temple, the former canonical quarters

There would be reason to provide translations of all of these other documents, were it not for the fact that the other main Latin archival source for the Latin Church of Cyprus, the Papal Registers, has not yet been published in full. The amount of archival material at the Latin archbishopric of Nicosia in the fourteenth century was certainly much larger than is indicated by the selection included in the *Cartulary* and *Synodicum Nicosiense*, as many internal references to documents now lost indicate. We have many papal letters on significant matters that were addressed to the archbishops of Nicosia but did not end up in the *Cartulary*. In fact, a good topic for future research is the principle of selection employed by Archbishop John of Conti when he made up the *Cartulary*. No doubt documents were excluded because they did not bolster the power and prosperity of the archbishop and chapter vis-à-vis the crown and nobility, the commoners, the Greek and Syrian clergy, and the Latin regular clergy (i.e. monks, nuns, and friars). The *Cartulary* generally does not record defeats. An interesting illustration of John of Conti's principle of inclusion is that documents 107-108 of the *Cartulary*, from 1243 and 1245 and dealing with papal protection of Greek Orthodox monasteries (see below, texts X.14 and 15), were not included in the *Cartulary* of 1322, but were added later in 1326, not on John's order but on those of his official.

Almost all of the papal letters up until 1300 have at least been published in summary form, by Jaffé-Löwenfeld, Potthast, Migne, Pressuti, Hiestand, the Bibliothèque des Écoles françaises d'Athènes et de Rome (BEFAR), and others, many of the letters printed in full. This is not yet the case for the fourteenth century, however, and even with thirteenth century letters much important information is not included in the summaries.⁹ At present I am working on an

of Nicosia..." Roberts translates "casale" (village or estate) as "castle," "decimae" (tithes) as "ten possessions," "miles" (knight) as "soldier," "constabulus" (constable) as "food minister," "decem carucatis" (ten carrucates – a measure of land) as "ten coaches," and so on. Archbishop Eustorge is knocked down to "canon" status in #24, but elevated to both "Archbishop of Nicosia and Bishop of Cyprus" in #28. Roles are often reversed: in #18, Philip d'Ibelin pays for a chaplain to say masses for his mother Mary's soul, but Roberts has it that Philip receives money from the chaplain, who is to say masses "for the soul of mother Mary," as if the Virgin Mother needed such help! In each case, the correct interpretation is given later in the La Monte section. – There are many other curiosities, but I will note just one. Since the only thing Roberts actually translated that is also in the present volume is three paragraphs from the *Synodicum Nicosiense* (on p. 229 and 230-31), I checked these. Roberts does not realize that the second paragraph refers to marriage, not "disputes," between Franks and Greeks. Where the Latin has "de caetero nullus Francus audeat contrahere cum Graeca vel Graecus cum Franca..." (see below, M.I), Roberts renders it "for the rest no Frank should dare struggle with a Greek or a Greek with a Frank...", rather than "from now on no Frankish man should dare marry a Greek woman, nor a Greek man a Frankish woman..." (de caetero = "from now on" in this period).

9. I discovered this recently when working on an article on Pyrgos, where a large, unedited papal letter provided fascinating new information about a dispute between the knight William of Rivet and a Cistercian abbey in Syria over the estate. See C. Schabel, "Frankish Pyrgos and the Cistercians," *Report of the Department of Antiquities, Cyprus* (2000b), 349-60, text on 359a-60b (I erroneously stated that Queen Alice came to Cyprus from France rather than from Syria, as is correct). Likewise, in working on Frankish Nicosia, I have found that unpublished documents even provide new topographical information for the early period.

edition of the full text of all papal letters involving Cyprus down to 1314, starting with Pope Celestine III, and Professor Richard is making an extensive register for the letters from 1318 to 1378, but until these projects are complete there is no point in attempting to provide a comprehensive English translation.

Although not all the papal letters have yet been published even in summary form, this is not the case for the letters dealing with the Oriental Churches. Since 1943 the Pontificia Commissio ad redigendum codicem iuris canonici orientalis (CICO) has collected such letters, the *Acta Pontificum*, and as of now they have reached 1450. Thus all of the most important papal letters informing us about the relations between the Churches are available in full, and so a comprehensive English translation of documents of the Latin Church of Cyprus dealing with ecclesiastical legislation, doctrine, and the relations between the Churches is possible at this time. Moreover, these documents are in fact the most interesting and provocative in any case, and the collection fits comfortably into one volume. With the exception of the decrees of the papal legate Peter Capuano from 1204, published by Louis de Mas Latrie but wrongly dated to 1223, all of the documents translated here that are not in the *Synodicum Nicosiense* or *Cartulary* are from the volumes of the *Acta Pontificum*.

As for the chronological limits, the Genoese invasion of 1373-74 and the Great Schism (of the West) beginning in 1378 mark a natural political and ecclesiastical break. Moreover, almost all of the documents of the *Cartulary* and all of the *Synodicum Nicosiense* refer to the period before 1374. Finally, the efforts of BEFAR and others to publish even just the summaries of papal letters have thus far reached only to the Great Schism (and the pre-Schism period is not complete).

The documents from the papal registers are my own selection from the documents of the *Acta Pontificum*, in turn selected from the larger collection recording the "outgoing papal mail." Thus the organization of this body of material is purely a modern decision. In contrast, the *Cartulary* of Nicosia Cathedral is a medieval document with a thematic organization that has been discussed in detail elsewhere. In Part II of this volume (text X), the selected documents from both these sources, plus the decrees of the papal legate Peter Capuano, will be presented in chronological order. The *Synodicum Nicosiense*, however, will be published in its entirety, and requires separate attention here.

The Synodicum Nicosiense

I have argued elsewhere that the *Synodicum Nicosiense* (also known as the *Constitutiones Nicosienses*) as we have it is a compilation of Archbishop Elias of Nicosia from about 1340, to which Archbishop Philip added brief documents in 1353 and 1354.¹⁰ The first editors of the document, Labbé and Cossart, report

10. Schabel (2000a), 63-7.

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- A:** I-XXVI: Archbishop Hugh, ca. 1252?
 XXI: Confirmation of Eudes of Châteauroux's regulations of Nicosia.
 XXVII: Eudes of Châteauroux to Archbishop Hugh, Jaffa, 4 March 1253.
 2. Eudes of Châteauroux to clerics [of Outremer], Jaffa, 5 January, 1253.
 XXVIII: Archbishop Hugh in council, Nicosia Cathedral, 18 June 1253.
 XXIX: Archbishop Hugh to populace, Nicosia Cathedral, 30 September 1257.
 XXX: Archbishop Hugh to Nicosia clergy, archbishop's palace, 9 January 1254.
 4. Archbishop Elias, after 1340.
 XXXI: Archbishop Hugh (or Elias?), undated.
 XXXII: Archbishop Hugh, 10 January 1256.
- B:** 0-24: Archbishop Ranulph, ca. 1283.
 1.b: Lateran IV, 1215.
 6.d: Innocent IV to Eudes of Châteauroux, 1254 (X.23.11).
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 12.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.18).
 13.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.21).
 13.f: Famagusta Agreement, 1222 (X.11.5).
 14.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.22).
 15: AXV (ca. 1252) and C (1251-2).
 18.c-d: Synodicum Nicosiense A.XXVII, 1253.
 18.e: Synodicum Nicosiense A.XXVIII, 1253.
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 20.c: Innocent IV to Eudes of Châteauroux, 1254 (X.23.13-16).
 21.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.7).
 22.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.23).
 25: Archbishop Ranulph? undated.
 26: Pope Boniface VIII, 1 March 1300.
 27: Archbishop Ranulph? undated.
- C:** Eudes of Châteauroux or Hugh of Fagiano to populace, Great Cemetery of Nicosia, 9 April 1251 (and 1252). (Hugh is Archbishop-elect; see note, p. 157).
- D:** Archbishop Elias, ca. 1336.
- E:** Eudes of Châteauroux to all, Cyprus, March 1249.
- F:** Eudes of Châteauroux to Archbishop Hugh, Acre, 6 August 1254.
 [2]-[22] Eudes of Châteauroux in provincial council, Acre, 6 August or before, 1254.
- G:** Archbishop Gerard in provincial council, Limassol Cathedral, 22 September 1298.
- H:** Peter of Pleine-Chassaigne in Nicosia council, Nicosia Cathedral, 15 June 1313.
- I:** Archbishop John to Nicosia Cathedral clergy, Nicosia Cathedral, 7 April 1320.
- J:** I-IV: Archbishop John, Nicosia Cathedral, 17 June 1321.
 V: Archbishop John, auditorium near chapel of archbishop's palace, 31 August 1323.
 VI-VIII: Archbishop John, Nicosia cathedral sacristy, 22 January 1324.
 IX [-X?]: Archbishop John, Nicosia, 30 March 1325.
 X: Synodicum Nicosiense G.XVII.a, 1298.
- K:** Archbishop Elias, ca. 1336.
- L:** Archbishop Elias in provincial council, archbishop's palace, 17 January 1340.
- M:** Archbishop Philip, done before Nicosia clergy in archbishop's palace, published before clergy and people in St Michael's Cemetery, Nicosia, 16 March 1353.
- N:** Archbishop Philip, done before canons and chapter, in treasury, 1354.

Synodicum Nicosiense Chronological Table:

- E:** Eudes of Châteauroux, Nicosia Cathedral (cf. A.XXI), March 1249.
- C:** Eudes of Châteauroux or Hugh of Fagianio to populace, Great Cemetery of Nicosia, 9 April 1251 (and 1252). (Hugh is Archbishop-elect; see note, p. 157).
- A:** I-XXVI: Archbishop Hugh, ca. 1252?
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 20.c: Innocent IV to Eudes of Châteauroux, 1254 (X.23.13-16).
 21.b: Innocent IV to Eudes of Châteauroux, 1254 (X.23.7).
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- K:** Archbishop Elias, ca. 1336.
- L:** Archbishop Elias in provincial council, archbishop's palace, 17 January 1340.
- A:** XXX.4. Archbishop Elias, after 1340.
- M:** Archbishop Philip, done before Nicosia clergy in archbishop's palace, published before clergy and people in St Michael's Cemetery, Nicosia, 16 March 1353.
- N:** Archbishop Philip, done before canons and chapter, in treasury, 1354.

that they transcribed the text from one manuscript, and so we know that by their time, the seventeenth century, the *Synodicum Nicosiense* was one document. It is impossible to know whether Labbé and Cossart had access to the original manuscript of the document or a copy, and likewise we cannot be sure that the compilation itself is medieval. In the absence of other information, however, the most plausible scenario is that Labbé and Cossart used Elias's original composition with Archbishop Philip's additions. My reasoning is based on the organization of the *Synodicum* and the comments of Elias. The preceding tables present, first, the sequential ordering of the *Synodicum* and, second, its chronological sequence.

Notice that the organization of the *Synodicum* is basically chronological, with crucial exceptions. Texts A-F mostly date from 1249 to 1257, from the legation of Eudes of Châteauroux and the archiepiscopacy of Hugh of Fagiano, and texts G-N are in strict chronological order from 1298 to 1354. The exceptions to the chronological ordering of A-F demonstrate, however, that the *Synodicum* in its final form could not have grown incrementally from 1257 to 1354. Texts A.XXX.4 and D, both mere paragraphs, were authored by Archbishop Elias (1332-1342), some 80 years after the surrounding documents. This suggests that Elias was the one who put the document together, inserting pertinent passages where he saw fit.

The other exception is more substantial, important, and confusing. Text B is called, probably by Labbé and Cossart, a "regulation instructing Greeks and others," and as such it is of particular interest to the student of Graeco-Latin relations. Paragraph B.c claims that the author of the text is "we, Raphael, by divine mercy archbishop of Nicosia." Text B is undated, and we have no other reference to Archbishop Raphael, even elsewhere in text B itself. Earlier historians variously dated Raphael's reign between those of Hugh of Fagiano and Ranulph, who was archbishop ca. 1278-85. Le Quien dated Raphael's reign to the 1260s, right after Hugh of Fagiano's, but Mas Latrie placed Raphael in the 1270s after a Bertrand who is mentioned as (archbishop-) elect of Nicosia in 1270; John Hackett followed Mas Latrie. Because of the apparently anti-Greek stance of the author of Text B, the Byzantinist Jean Darrouzès came up with the unlikely theory that the author was actually Hugh of Fagiano, "hiding under the name of Raphael." Jean Richard agreed with Darrouzès, dating the text to between 1254 and 1260, after Innocent IV's death and before the *Bulla Cypria*. On the other hand, for various reasons George Hill and Nicholas Coureas asserted that the text dates to ca. 1280-88, and that Raphael succeeded Ranulph, who was still archbishop in 1280.¹¹

11. Michael Le Quien, *Oriens Christianus* III (Paris 1740), col. 1206; Mas Latrie (1884), 243-4; John Hackett, *A History of the Orthodox Church of Cyprus* (London 1901), 542-3; Sir George Hill, *A History of Cyprus* III (Cambridge 1948), 1056, n. 1, and 1063, n. 4; Darrouzès (1979), 61-5; Jean Richard, "A propos la 'Bulla Cypria' de 1260," *Byzantinische Forschungen* 22 (1996), 29, n. 21; Nicholas Coureas, *The Latin Church in Cyprus, 1195-1312* (Aldershot 1997), 306 and n. 185. Coureas, "Latin Provincial Synods of the Thirteenth Century as a Means of Promoting Ecclesiastical

Hill and Coureas's sense of the dating of the document is, in fact, almost certainly correct, but the best evidence for this is palaeographical and codicological. Most commentators have ignored the information that Labbé and Cossart provide in the margin, that text B includes a document (B.26) from Pope Boniface VIII, and in fact the document in question dates from 1300. This entails that either all of text B dates to 1300 and afterwards, or it is a composite of different documents. The latter is surely the case.¹² The Boniface VIII section in the *Synodicum*, B.26, starts almost in mid-sentence, and refers almost immediately to a dispute between the mendicants and the secular church over burial rights which had not been mentioned previously in text B. In fact, we are missing a large part of the beginning and a smaller part of the end of the original document (of B.26), which has been published in full in various places, including canon law collections. Somewhere along the line one or more folios from a collection of documents went missing, or there was some physical mutilation. It is not easy to determine what happened. The last section of text B, the short paragraph B.27, again changes the subject, in this case back to penance, and would seem to fit better with B.12 or B.17, rather than with what follows. Moreover, B.24 suggests that the whole text B is drawing to a close, for the author calls upon the Greek bishops, ephors, and master chaplains "to relate all the aforesaid items" to their congregations. Then, instead of the normal concluding remarks containing information about date, place, author, witnesses, and scribe, B.25 concerns the cases that are reserved for the ecclesiastical courts of the Latin archbishop and bishops.

What obviously occurred was that the compiler of the *Synodicum* or a previous compiler found text B to be in a mutilated state, missing the ending to "Raphael's" text and the beginning and ending to Boniface's. All the material that would date the documents was missing, so the compiler had to insert it as best he could. As the first table shows, text B explicitly quotes seven times from

Discipline and Doctrinal Uniformity," *Annuaire Historiae Conciliorum* 32.1 (2000), 82, now accepts my identification of Raphael with Ranulph, although some of the text he claims reflects the later date (pp. 90-1) is actually taken verbatim from a 1251 decree. Harry Magoulas, "A Study in Roman Catholic and Greek Orthodox Relations on the Island of Cyprus between the Years A.D. 1196 and 1360," *Greek Orthodox Theological Review* 10 (1964), 94, Elizabeth Furber, "The Kingdom of Cyprus 1191-1291," in R.L. Wolff and H.W. Hazard, eds., *A History of the Crusades II: The Later Crusades, 1189-1311* (Madison 1969), 628, and Theodoros Papadopoulos, "Η εκκλησία Κύπρου κατά την περίοδο της Φραγκοκρατίας," in *Ιστορία της Κύπρου Δ': Μεσαιωνικόν Βασίλειον, Ενετοκρατία* (1995), 603, agree with Hill, as Miltiades Efthimiou, *Greeks and Latins on Cyprus in the Thirteenth Century* (Bloomington, MA, 1987), 81, seems to do, giving 1280 as the date without explanation. Parthenios Kirmitses, "Η ορθόδοξος εκκλησία της Κύπρου επί Φραγκοκρατίας," *Κυπριακαί Σπουδαί* 47 (1983), 37, also follows Hill, specifying that the text dates to after the Second Council of Lyons (1274) and after Germanos' death. Joseph Gill, "The Tribulations of the Greek Church in Cyprus 1196-c.1280," *Byzantinische Forschungen* 5 (1977), 91, n. 40, notes that "probably Germanos had already ceased to hold office," but prefers a date not long after 1260.

12. Gill (1977), 92, agrees, but does not note the mutilation of B.26.

a letter of Pope Innocent IV to Eudes of Châteauroux dated 1254, and although neither Innocent's name nor the date is given in the quotations, the letter would have been familiar to the compiler if he were an archbishop. Indeed, the full letter is contained in the Nicosia *Cartulary*. Text B also quotes from other documents in the *Synodicum* from Hugh of Fagianio and Eudes of Châteauroux (explicitly dated in B.18d). Logically, the compiler, not recognizing the fragment from Boniface VIII, inserted text B among the Hugh and Eudes documents. Since Labbé and Cossart did recognize the Boniface section, we can conclude that they did not commit the chronological error, but rather it had already been committed by the original compiler.

Because the end of "Raphael's" text is missing, not only did the compiler lack the means to date the document, but he also had to rely on the one instance of the author's name. Other local and papal documents preserve an unbroken series of archbishops of Nicosia from 1217 to the end of the thirteenth century (in Latin): Eustorgius, Hugo, Aegidius, Ranulphus, Johannes, Gerardus. Between Hugo and Aegidius there is Bertrandus, but he is never called archbishop, just "vicar" and then "elect." There is no room for any "Raphael." But the name "Ranulphus" comes close to Raphael: they share the "Ra" beginning, the "ph" in the middle, and, although in different order, the "l." In medieval documents the name was probably abbreviated, and so on palaeographical grounds we can conclude that "Raphael" is almost certainly an error for the much more common name (in that era) "Ranulphus." The error might be Labbé and Cossart's (it occurs as the last word of a folio, but they also have the name in the margin at the beginning of text B, so it is not a printer's error). On the other hand, the error might be that of the medieval scribe who, without benefit of the concluding material, did not recognize Ranulph's name. This would suggest that the scribe and compiler were working long after Ranulph's reign, which fits the circumstances of Elias's tenure: he arrived some 50 years after Ranulph's death.

There is other circumstantial evidence identifying Raphael with Ranulph. First, without material from Ranulph's reign we are left with a large chronological gap, between 1257 and 1298, without any records from local synods, but if we have a council from Ranulph's reign in ca. 1283, this gap is removed. Second, the only document of the *Cartulary* from Ranulph's reign, no. 29 from 26 October 1280 (see Part II, no. X.30), is a reiteration, at the "prayers and urgings of the reverend father Lord Ranulph, by the grace of God archbishop of Nicosia," of

a certain regulation (i.e. A.XXVIII.1) of Lord Hugh, of good memory, at one time archbishop of Nicosia, written in the Passionario of this Nicosia Church along with many other regulations of the same lord archbishop and Lord Eudes of fond memory, at one time bishop of Tusculum, at that time legate in the areas of Outremer, which were promulgated by the same men in the Nicosia Church.

So we know Ranulph to have been quite interested in these documents – indeed this is the only quotation from the *Synodicum Nicosiense* in the *Cartulary*. The fact that text B of the *Synodicum* quotes so extensively from Hugh and Eudes further identifies Ranulph as the author. Third, within text B (B.18.f) the author quotes from the acts of his own provincial council, and not only is this clause not from the extant records of Eudes's and Hugh's councils, it refers to the excommunications done by his "predecessors" plural, which no doubt includes Hugh and others.

Incidentally, the reference to the provincial council indicates that the rest of text B is not actually the acts of a council, but rather archiepiscopal decrees. The quotation of Hugh's act in a document of October 1280 also suggests that Ranulph authored text B (most of it) after that date. The reference to "four Greek bishops," moreover, and the omission of any mention of a Greek archbishop, implies that Ranulph was writing after Archbishop Germanos's death, probably in the early 1280s. In fact, Germanos's death may very well have been the occasion for Ranulph's "Regulation instructing the Greeks": with Germanos out of the way, it was time to begin the new era.

What all this means for the *Synodicum* as a whole is that it cannot have grown organically, because Ranulph's decrees, even ignoring Boniface's document, decisively break the chronological order. However, the confusing and mutilated nature of the Ranulph-Boniface text B means that the compiler could very well have attempted to organize the *Synodicum* chronologically, and did the best he could with text B based on the well-known documents quoted in it, much of which Labbé and Cossart elided as too repetitive (with the words, "etc., until these words").

Besides the fact that the only other major disruptions of the chronological sequence are the two short insertions of Elias, Elias himself gives the final bit of evidence for himself as compiler. Just before his 1340 council (text L) Elias states that upon his arrival in Cyprus he found that his predecessors' and the legates' decrees and the acts of the provincial councils had been neglected and were just "filler for parchment," so he renewed them all (text K). Elias's entire reign demonstrates his zeal for reform and his respect for the church council. In his own council of 1340 he displays a very wide knowledge of previous local councils and decrees, constantly quoting from legates and previous archbishops. The obvious conclusion is that he was the driving force behind and the compiler of the *Synodicum Nicosiense*.

This is not to say that Elias was the first to gather together documents, of course. His predecessor, the Dominican John of Conti compiled the *Cartulary* in 1322, at a time of great insecurity: Pope John XXII was dealing directly with and often supporting the Greek clergy, thus threatening part of the Latin archbishop's *raison d'être*. There were also struggles with the crown, problems with collecting tithes, and the suppression of the Templars. And as the quotation above from

Ranulph's document in the *Cartulary* shows, Archbishop Hugh already had a "Passionario" containing his and Eudes's acts: no doubt this *Passionario* was the first part of the *Synodicum Nicosiense*, perhaps just text A, but maybe also C, E, and F, which together make up some 30% of the entire *Synodicum*.¹³ These texts are not in strict chronological order, but they are all from the same few years. Even text A, almost certainly Hugh's own collection, is in chronological order, unless A.XXIX from Sunday, 30 September 1257 (MCCLVII), is actually from 1253 (MCCLIII), although this would be a Tuesday. The first 26 items of text A are also hard to date, because of the later documents that are quoted in text A, but it seems that they come from around 1252. The only other confusing section is A.XXXI, which may be from Hugh or part of Elias's later insertion.

All other documents in the *Synodicum* are securely dated, although it should be noted here that dating is further hampered by the different calendars in use at the time. Recent discussions of dating have determined that local documents from Cyprus were dated based on a year beginning 25 March in the early and mid-thirteenth century. The Royal chancery shifted to 1 March at some point before the end of the century, and by 1292 the local Latin Church had switched to 25 December or 1 January.¹⁴ Thus several *Cartulary* and *Synodicum* documents of the thirteenth century really belong to the year following the one given in the Latin text. In the translations I have re-figured the dates based on 1 January.

A problem remains with one document: a decree concerning the greed of clerics of Archbishop Hugh of Fagiano (A.XXX.3), dated in the text to 9 January 1253, done in the archbishop's palace in Nicosia. To be consistent with the dating practice in other local documents of the same period, we should date this to 9 January 1254. Dating Hugh's decree to 9 January 1254, however, might cause problems. In a recent article in which he discusses the dating question for documents of this period, Peter Edbury suggests that we could re-date the death of King Henry I to 18 January 1254 rather than 1253.¹⁵ According to the ca. 1500 Italian chronicle "Amadi," Hugh had placed Cyprus under an interdict and left the island, only to return *after* Henry's death on 18 January. The year of death is given as 1253, but Amadi's source may have used the older dating system, in which the year would be 1254. Since Hugh was in Nicosia Cathedral on 18 June 1253 (A.XXVII.4) he would have left afterwards, according to Edbury's theory, but he could not have returned to Nicosia on 9 January 1254, for Henry would not

13. La Monte (1929-30), 440-1, mistakenly thought the reference to the *Passionario* was to an early version of the *Cartulary*, but the text quoted comes from the *Synodicum*, and the description can only fit the *Synodicum*.

14. Kedar (1985), Schabel (2000a), 62, n. 3, and Peter Edbury, "Redating the Death of King Henry I of Cyprus?" in Michel Balard, Benjamin Z. Kedar, and Jonathan Riley-Smith, eds., *Dei gesta per Francos. Crusade Studies in Honour of Jean Richard* (Aldershot 2001), 339-48. For documents in the *Cartulary* wrongly dated in the edition, see the corrigenda sheet below. For the chancery's dating system in the fourteenth century, Edbury cites works of Jean Richard.

15. Edbury (2001), 339 and 346-7.

yet have been dead. One of the reasons Edbury finds the re-dating attractive is that it would explain why on 30 March 1254 Pope Innocent IV assigned to the Latin patriarch of Jerusalem the revenues of Hugh's see, which "would have been unthinkable had the archbishop then been resident in his see." Thus Hugh was still absent. On the other hand, Innocent also wrote to the king of Cyprus on the same day, which Edbury explains by theorizing that Innocent had not yet been informed of Henry's death ten weeks before. But given the *Synodicum* document of 9 January, and the fact that Innocent and Hugh were just then at odds over the Latin policy towards the Greeks, it might be better either to keep the 1253 date of Henry's death or to question Amadi's veracity.

Notes on the Reprint of the Synodicum Nicosiense

The *editio princeps* of the *Synodicum Nicosiense* was published in *Sacrosancta concilia ad regiam editionem exacta*, volume XI, part II (Paris 1671), cols. 2376-2441, by the Jesuits Philippe Labbé and Gabriel Cossart. Although this volume was devoted to the years 1285-1413, the editors published the *Synodicum*, spanning 1249-1354, in that volume since they found it in one manuscript and they apparently did not want to break it up. Labbé and Cossart's *Sacrosancta concilia ad regiam editionem exacta* was later reprinted in a different format by Nicholas Coleti, with additions and emendations inserted by Stephan Baluze and Jean Hardouin, the *Synodicum* being contained in volume XV (from 1311-1413) (Venice 1731), cols. 711-782. Presumably Hardouin published the entire text in his *Acta Conciliorum et epistolae decretales, ac constitutiones summorum pontificum*, 11 vols. (Paris 1714-15), in vol. VII (1213-1409), but I have not had access to this. In the margins, Hardouin made an occasional attempt to emend the text. Harduin's marginal emendations in Coleti were retained by John Dominic Mansi in his *Sacrorum conciliorum nova et amplissima collectio*, who reprinted the *Synodicum* in volume XXVI (from 1344-1409) (Venice 1784), cols. 311-382. As indicated by the column numeration, Mansi basically retained Coleti's formatting, more or less exactly at the beginning, but more loosely later on. Mansi's edition has been the most popular, since H. Welter reprinted it in the twentieth century (Paris 1902), and Welter's reprint was itself reprinted by the Akademische Druck-u. Verlagsanstalt (Graz 1960). Of course, sections of the *Synodicum* have been published in numerous places, but as they are taken from these complete editions I ignore them here.

The original manuscript apparently no longer exists. Coleti did an exceptional job reprinting the Labbé-Cossart edition, and in turn Mansi's reprint of Coleti is masterful. Nevertheless, there are occasional errors, including small omissions by *homeoteleuton*, in Coleti, errors that Mansi retains (i.e. A.XX, B.b, and G.XII), except in the few cases where he detected the mistake. Mansi, at least

three generations removed from the original manuscript, adds a few errors of his own. Moreover, in some instances Coleti makes intentional modifications, usually to classicize, and Mansi keeps these and adds more, thus increasing the distance from the manuscript. Indeed, in one significant instance (G.I) where the Labbé-Cossart edition faithfully copies the local French of the time (“Io te baptizo ou nom dou Pere, et dou Fis, et dou saint Esperit, amen”), Coleti turns it into modern French (“Je te baptize en nom du Pere, et du Fils, et du saint Esprit, amen”), which destroys any linguistic use the original may have. For these reasons, I have decided to reproduce the Labbé-Cossart edition, except where there is an obvious typographical or other error.

There is no doubt that the Labbé-Cossart edition contains major mistakes, as indeed the manuscript itself did, as is shown by the state of Text B. In many cases the editors insert an asterisk * denoting a problem in the text, sometimes with a suggestion in the margin. In the text in square brackets, after the abbreviation “*mg*” (“in the margin”), I give whatever marginalia exist in the Labbé-Cossart edition. In the apparatus, along with all typographical errors in the Labbé-Cossart edition and all variants in Coleti and Mansi that could affect sense, I quote additional marginalia from Coleti and Mansi. In a few cases I have made my own emendations where all editors seem to have failed (e.g. B.12, B.23, and J.X), and in other cases I have had access to another version (e.g. B.6.d and L.8). I ignore the minor intentional orthographical changes in the latter two editions. Punctuation throughout is my own, and I generally write out abbreviations. The sigla are as follows: **L** = the Labbé-Cossart edition; **C** = Coleti; **M** = Mansi. Finally, **H** = Hardouin’s emendations.

In double angle brackets << >> I insert the text that Labbé and Cossart elided in text B as too repetitive. In square brackets I give the column changes of the Labbé-Cossart edition and the smaller divisions within each column, A through E. Because readers may wish to locate a citation to the Coleti or, more probably, the Mansi edition, I also give their column changes in square brackets, but not the smaller divisions. (I do not give the sigla, because the different numeration of the three editions should be obvious.) For ease of citation, I have labeled each separate text A through N, and within each text I have added in square brackets further letter and number references for paragraphs, to supplement the numbering already found in the Labbé-Cossart edition. This has made indexing and cross-referencing much easier. For example, “A.XXX.1” refers to text A, item XXX, and paragraph 1. Because of the relative size of the Latin and English texts, I have put the notes in the Latin side. Occasionally a term is defined, and direct quotations and explicit references to other parts of the *Synodicum* are noted, but for extensive cross-referencing I refer the reader to the index.

Notes on the Translation

In the very few cases where previous translations or paraphrases of material were available, I have taken note of them and sometimes made use of them. In particular, I have benefited from the works of Nicholas Coureas, William Duba, and John Hackett, I have used my own previously published fragments, and I have taken account of translations of Latin Church councils, especially Lateran IV, which are on the Internet and in the public domain. For Biblical quotations, I have used the revised Douay Version, translated from the Vulgate in 1609.

The syntax of these Latin documents and their legal language, especially the papal letters, is so complex and different from English that, inevitably, I have had to break down and drastically restructure the huge sentences of the original and modify the legal language for the lay reader (including myself). I cannot hope to have satisfied everyone with this rendition, but I do hope that I have not committed too many errors of such significance that they obscure the meaning of the texts.

The translation of the *Synodicum Nicosiense* is on pages facing the Latin original, using the same format exactly, except that the obviously misplaced text in B.6.a-d has been rearranged. Between double square brackets [[]] I insert the translation of the text elided in the editions. The translations in Part II, mostly from the *Cartulary* and the *Acta Pontificum* (for other editions, see the works cited) are labelled “X,” followed by the document number, i.e. 1-61, followed by the paragraph number. For example, the “profession of obedience” in the *Bulla Cypria*, to be taken by the Greek bishop of Solea, is cited as “X.25.13.”

HISTORICAL INTRODUCTION

In the spring of 2001, during the writing of this introduction, the aging leader of the Roman Catholic Church, Pope John Paul II, was planning to visit Greece and Cyprus in his retracing of the steps of the apostles. The clerical union of the Orthodox Church of Greece protested against the visit of the “arch-heretic,” but eventually the Archbishop of Athens and the pope agreed to the visit on a compromise basis. In Cyprus a similar compromise was reached with Archbishop Chrysostomos, but the opposition blamed the Schism of 1054, the Fourth Crusade of 1204, the execution of the thirteen Kantara monks of 1231, and the Fall of Constantinople to the Turks in 1453 on Pope John Paul, and in the end the visit did not occur. Conflicts of the Middle Ages re-emerged in a new political context.

In some cases these accusations – which may simply be rhetorical weapons against an ecclesiastical leader whose present goals are still suspect in Orthodox minds – are historically doubtful or simply false. In other cases the history is correct, but the application of blame to Pope John Paul in the year 2001 rests on two assumptions: first, that the policy of the Roman Catholic Church and of each pope has remained unchanged since 1054 and 1231, and, second, that the popes were arch-heretics in 1054 (Leo IX) and 1231 (Gregory IX). Examining the first assumption is beyond the chronological limits of both this book and my scholarly interests: qua medieval historian (but not qua human being), I am uninterested in what the present pope does or believes. It should be mentioned, however, that during his visit Pope John Paul II conceded that “sons and daughters of the Catholic Church have sinned by action or omission against their Orthodox brothers and sisters,” and asked, “may the Lord grant us the forgiveness we beg of Him.” He even stated that the sack of Constantinople in 1204 filled *today’s* Catholics with “deep regret.” Whether the Orthodox judge this apology to the Greek Church and people as genuine is another matter, but on the surface the approach has changed drastically since the Middle Ages.

Evaluating the second assumption also exceeds the time frame of this study and my interests as a medievalist, not to mention my capacity: the answer to the question of the heresy or orthodoxy of Leo IX and Gregory IX, for the historian, lies in the next life and not in this one, not even in papal apologies for past actions, which are historically irrelevant.

Nevertheless, the documents presented and translated here will provide the reader with crucial information, on the one hand, about how the Roman Catholic Church worked and what it believed in the thirteenth and fourteenth centuries, and, on the other, about how it approached the Greek Orthodox Church both on a practical and theoretical level. *It is not, nor should it be, the task of the historian*

qua historian to solve modern problems. The historical conditions and mentality of the people of one epoch will never be duplicated, and so strictly speaking history cannot repeat itself. Moreover, the present is only of very limited use in understanding the past, while the “lessons” of the past are much less useful in solving present problems than a thorough knowledge of present conditions and worldviews. Still, history will continue to be used by non-historians for understanding and solving modern problems, and so the historian cannot ignore the use to which his or her work will be put. I am well aware that the writings collected in this book, more than in most cases of medieval history, are of crucial importance to modern Orthodoxy, otherwise the visit of the leader of one group of Christians to the lands of another group of Christians would not provoke such hostility – hostility directly connected to events that occurred between 950 and 550 years ago. More broadly, the deep distrust between the Orthodox world and the Western, primarily Catholic, world is one of the most significant international issues of our time, as shown in the tension that has arisen since the fall of the Soviet Union: the Serbo-Croat War, the strife in Bosnia, the troubles in Kosovo, the NATO bombing of Yugoslavia, the expansion of NATO to Catholic Central Europe, the misunderstandings of US-Russian relations, etc. In the East, but not so much in the West, these problems are often perceived to have a partly religious basis.

So, stepping out of my medievalist persona for one paragraph, here is what I think these documents can offer the modern citizen: given the theology and ecclesiology of the popes and the Latin Church in the later Middle Ages, their actions on Cyprus between 1196 and 1373 are consistent and understandable, if we make allowances for the usual differences in personality among the various popes, archbishops, papal legates, etc., and for the inevitable human failings of these prelates. At the same time, the actions of the Greek Church are equally understandable, making the same allowances. It is my informed opinion that whatever struggle occurred between the two groups in this period had as the fundamental cause – although perhaps not the only cause – their *sincere* differences in theology and ecclesiology: doctrine, church government, tradition, and practice. Moreover, the Latin approach was not monolithic, since different prelates had different views about how to accomplish the same basic goal. Finally, the documents also show that, to a great degree, the two groups of Christians eventually reached a successful arrangement, and for the period after 1264 there is perhaps more evidence for ecclesiastical strife between Latin and Latin and between Greek and Greek than between Latin and Greek. The perception of the deep antagonism and hatred of this period in Cyprus is, to some extent, a later historical construct. One might add as an aside that, at least in the years following the Second Vatican Council in the 1960s, one can perceive a change in attitude on the part of the Roman Catholic Church: Greeks need not fear John Paul II as they did Gregory IX, not only because John Paul does not wield the power of his thirteenth-century predecessors, but also because he does

not view things in the same way. This is why we have apologies for the Holy Inquisition and the sack of Constantinople, for example, however irrelevant these statements may be to the medieval ecclesiastical historian.

Historiographical Notes

Enough of political and ideological commentary: let us move to medieval history. Historians are not immune from contemporary political, ethnic, and religious prejudices. In the era of deconstruction and post-deconstruction, historians are aware more than ever of the impossibility, or rather meaninglessness, of absolute objectivity. In recent decades this awareness has often taken historians too far in the direction of subjectivity, as deconstruction is seen as a license to cut away the rhetoric of historical documents to show what they really express. What they “really” express is often just the personal view of the historian or, just as often, the view that the historian wishes to attribute to the author of the documents. In this way the historian’s preconceived notion is inevitably borne out by the “facts,” and information that supports this notion is emphasized and declared accurate, while conflicting information is explained away, suppressed, or twisted in unusual ways to fit the *a priori* conclusion. Examples of this are everywhere, sometimes sad, sometimes humorous, and sometimes dangerous.

In fact, of course, unconscious or inadvertent deconstruction has probably been the rule in historiography ever since its birth. To take a specimen closely related to the present texts in translation, a recent book by Ronnie Ellenblum will serve to illustrate this.¹⁶ Investigating Frankish rural settlement in the Kingdom of Jerusalem, he was able to discern, fairly clearly, a tendency on the part of historians writing before ca. 1950, mostly French, to emphasize whatever information pointed to cooperation and assimilation between Franks, Eastern Christians, and Muslims in the Crusader States. The picture painted was of one big happy family under the natural and enlightened political and ecclesiastical domination of the Latin Franks. Naturally, there were problems, but the positive outweighed the negative. Ellenblum quite rightly saw in this portrayal an unconscious reflection of modern French pride in that nation’s abilities to colonize and take on the white man’s burden. One might add that the participation of French aristocrats, sometimes writing in periods of Empire in the nineteenth century, may have served to further downplay the significance of any inequalities found among the various populations of Palestine in the twelfth century. In contrast, Ellenblum found that post-1950 historians reversed their attitude, minimizing the importance of evidence suggesting friendship and

16. Ronnie Ellenblum, *Frankish Rural Settlement in the Latin Kingdom of Jerusalem* (Cambridge 1998), 3-38.

comradery and maximizing that which indicated hostility and strife. Not coincidentally, the era since 1950 has been one of de-colonization and democracy often based on the principle of the self-determination of “peoples” or ethnic groups. Ellenblum’s specific conclusion, that there was considerable cohabitation and assimilation among the various Christian groups, but not between the Muslims and Franks, happens to be a mixture of both pre-1950 and post-1950 “models.” We should not generalize that all such revisionist studies will result in a compromise solution, of course, and only time will tell whether Ellenblum’s own study, he admits, will be seen as a product of an age of renewed ethnic tension in Africa, the Balkans, the Middle East, and elsewhere.

I do not think I go out on a limb in declaring that the historiography of the ecclesiastical history of Frankish Cyprus has been characterized by extensive unconscious deconstruction. This is not to say that the studies of the subject are without value as history, however, because one of the great benefits of deconstruction, conscious or unconscious, is the knowledge that documents (not to mention other physical remains) are rarely transparent and express more than the words on the page. They require knowledge of the historical context and intelligence to interpret. The danger of deconstruction can also be turned into an advantage: historians looking at the past from one modern perspective might, in fact, approach unconsciously the perspective of one element of the society under investigation. Discovering whether a modern perspective truly does so approach an older view, however, also requires great knowledge. One cannot simply assume, for example, that a twenty-first century Roman Catholic pope has the same point of view that Innocent III had. Indeed, in this particular case, he most certainly does not. This is why a present pope’s apologies for the medieval activities of the Holy Inquisition have no bearing on historians studying the Middle Ages, for we have every reason to believe that Pope Gregory IX, were he alive today, would vehemently reject John Paul II’s declaration and explanation.

As far as I know, no historian of the ecclesiastical history of Frankish Cyprus has been devoted, as a scholar, specifically to the later medieval history of the Roman Church, including its doctrine as expressed by the popes, councils, and university theologians of the period corresponding to Frankish Cyprus. In the nineteenth century, the French historian Count Louis de Mas Latrie was one of the founders of crusades studies generally (and in fact among the first great modern historians heavily involved in careful archival work, something usually associated with the German school).¹⁷ Mas Latrie saw the ecclesiastical and religious relations between the two groups in terms of Frankish domination and successful Greek resistance to Frankish pressure to conform, so that no religious unity arose between the two groups. His own complex feelings are revealed in the introduction: “We can regret, but we do not have the right to blame, this energetic

17. See especially Count Louis de Mas Latrie (1851-1855), (1873), (1882), and (1884).

and honorable resistance of a people who did not give in and always expected a better future.”¹⁸ He concludes by showing his own submission to Rome and his “adhesion to the principles that others had the honor to defend.”¹⁹ Mas Latrie’s countryman Camille Enlart is often considered the father of the scientific study of Gothic architecture.²⁰ Unlike Mas Latrie, Enlart perceived a mingling of Frank and Greek in later medieval religious art and architecture, although he preferred pure Gothic forms and he did not venture to treat ecclesiastic affairs in great detail.²¹ Both Frenchmen were Catholic, but neither was a church historian.

The Englishman John Hackett, however, set out to tell the history of the Orthodox *Church* of Cyprus, not only in the Frankish period but from its establishment down to his time.²² The project itself suggested a pro-Greek bias against the popish church, which at the First Vatican Council had probably reinforced Anglican opposition. Indeed, Hackett stated in his introduction that Cyprus under English rule “presents an exceptionally favourable opportunity for that friendly intercourse between the Anglican and Orthodox Churches which it is to be hoped may yet prove productive of the happiest results” (p. vii). In the “Romish” Church, Hackett was able to find a common enemy of Greeks and English. It is no surprise, then, that in describing the book Hackett calls his section on the Frankish period (p. 2) “the story of one long and continuous struggle of nearly 400 years with an unscrupulous assailant on behalf of its dearly cherished prerogatives.” The remainder of the book follows along those lines: the Roman Church is simply wrong in its motives and its goals.

Another Englishman, Sir George Hill, was even further from a direct focus on the Roman Church on Cyprus, since he tried to cover every aspect of Cypriot history from prehistory on, although he did understand that Hackett was “somewhat prejudiced against Rome.” Hill added that Mas Latrie “shows an evident endeavor to be fair, but is apt to pass over lightly or in silence incidents that the other side would emphasize.” Here we see Hill’s awareness of unconscious deconstruction at work. Hill himself was closer to the mark, but still underestimated the amount of cooperation between Greeks and Latins, when he stated that “the agents of the Roman See were too often tactless through sincere bigots, the last persons likely to find a bridge for the gap, especially when they had to deal with opponents of very similar character.”²³

18. Mas Latrie I (1851), p. x.

19. Mas Latrie I (1851), p. xvi.

20. Camille Enlart, *Gothic Art and the Renaissance in Cyprus*, trans. D. Hunt (London 1997; original French edition Paris 1899).

21. Gilles Grivaud, “Grecs et Francs dans le royaume de Chypre (1191-1474). Les voies de l’acculturation” (Habilitation thesis, University of Paris I, 2001), “Introduction.”

22. John Hackett, *A History of the Orthodox Church of Cyprus* (London 1901); there is a revised version in the Greek translation by C.A. Papaioannou, 3 vols. (Athens 1923-32).

23. Hill III (1948), 1041, and n. 3.

It was natural for these great scholars to understand papal policy in terms of power politics. The quest for increased jurisdiction and hegemony of the central ecclesiastical government in Rome, and the local Latin hierarchy in Cyprus, needed no further explanation or interpretation, since these were ends in themselves, as the story of the secular leaders of the Crusader States demonstrated. The story that unfolded in the works of Hackett and Hill was that a Latin Church hierarchy was established in violation of canon law, it was supported by confiscations from the Greek Church, it reduced the number of Greek bishoprics from fourteen to four, it reduced the status of the Greek bishops to assistants and exiled them to the countryside, it placed restrictions on the number of Greek priests and monks, it did away with the rank of Greek archbishop of Cyprus, it enforced doctrinal conformity and attempted to institute ritual conformity, and, finally, it turned to the secular arm to implement its policy by force, as the “execution” of thirteen monks of Kantara for disagreeing with the Latins on the issue of the use of leavened and unleavened bread in the Eucharist showed. In all of this, the Greek Church struggled to maintain its ground in the face of this unprovoked and unjust attack on its autonomy and its very existence, and the Cypriots (i.e. the Greek Cypriots), although they compromised at times on the surface, never betrayed their faith in their hearts.

Naturally, the Greek historians agreed with the English. Already in 1893, Constantine Sathas perceptively attacked Mas Latrie for his pro-Roman bias and for his intellectual condescension with respect to the subject Greek population. Just before the First World War, Philios Zannetos joined in, but in Zannetos the hatred of Rome and the West led to sweeping a priori conclusions. For Zannetos, western sources are all biased, no foreign domination can result in any good, Latins are fanatics, and the Greeks are correct. Moreover, whereas Enlart and also Hill were able to see some Frankish influence on Greek art, in the climate of Enosis, Zannetos stressed the natural superiority of Hellenism, which eventually began to affect the Franks.²⁴

Although they have avoided such extremes, most western historians who have dealt with the issue of the “two Churches” on Cyprus since 1950 have not attempted to modify the general story. As the title suggests, Joseph Gill’s “The Tribulations of the Greek Church in Cyprus” of 1977 focuses on the Greeks. Although not biased against the Latins, Gill does have a rather presentist view of how Greek-Latin ecclesiastical relations should have been.²⁵ In his 1991 monograph on Cyprus, Peter Edbury, the leading British historian of the Frankish period, concentrates on the crusaders and the feudal nobility, the very group that

24. Grivaud (2001), “Introduction.” The Greek bibliography from the early twentieth century is larger than what I am presenting here, of course.

25. Joseph Gill, “The Tribulations of the Greek Church in Cyprus, 1196 - c. 1280,” *Byzantinische Forschungen* 5 (1977), 73-93.

the Church had tried to pacify in the West and redirect to the East. The power for power's sake image is unchanged, because this is not Edbury's purpose. Thus while Edbury quite rightly explains the secular circumstances (Civil War and a young king) that set the context for the Kantara "martyrdom," which he sees as an aberration rather than representative of the Latins' attitude, he is not concerned with the theological issue or the ecclesiastical context – the Albigensian Crusade and the establishment of the Holy Inquisition led by the newly-created Dominican Order, of which Andreas, the main Latin protagonist, was apparently a member.²⁶ Likewise, when he dealt with the relations between the Greek Cypriots and the Lusignans in 1195, Edbury correctly downplayed the "riots" of 1314 and 1360 against papal legates as isolated and short-lived events in a peaceful rule that Greeks accepted, and portrayed the Greek Church as "impoverished and subordinate," but with much everyday autonomy. Yet Edbury again avoided purely spiritual issues, which were simply not his focus, although he did declare that the Latins saw the Greeks as "not schismatic but part of the Universal Church" gone astray.²⁷

Annemarie Weyl Carr, the American art historian, while perceptively investigating the traces of cultural assimilation in art on Frankish Cyprus, nevertheless contents herself with the traditional story of Latin persecution and Greek suffering in the religious context. Her unfortunate choice of Efthimiou (see below) as her main source, which she embellishes, has unhappy results. For example, the annual Palm Sunday reading out of no less than nineteen categories of excommunicates, in which there is no mention of Greeks in the audience, is described thus: "[T]he Latin archbishop gathered all the Greeks he could..." after which only the two offenses directed at Greeks are mentioned.²⁸

Perhaps not surprisingly, historians from predominantly Catholic countries have a different view. The leading French expert on Frankish Cyprus, Jean Richard, especially in recent years, has come to see the relationship between the Churches after the *Bulla Cypria* as a generally peaceful compromise in which the Greeks and Latins found a *modus vivendi* together. For Richard, the *Bulla Cypria* was the product of a partially successful negotiation with the pope and representatives of the local Latin archbishop, one which gave them considerable

26. Peter Edbury, *The Kingdom of Cyprus and the Crusades, 1191-1374* (Cambridge 1991), 67.

27. Peter Edbury, "The Lusignan Regime in Cyprus and the Indigenous Population," in idem, *Kingdoms of the Crusaders. From Jerusalem to Cyprus* (Aldershot 1999), #XX, esp. 1-2 and 6-7, translated from a 1995 publication in French. Edbury's contention (p. 2), in my opinion correct, that the history of fortification in the Frankish Kingdom is evidence for lasting internal peace and acceptance is diametrically opposed to the argument of Kristian Molin, "Fortifications and Internal Security in the Kingdom of Cyprus, 1191-1426," in Alan V. Murray, ed., *From Clermont to Jerusalem. The Crusades and Crusader Societies 1095-1500* (Turnhout 1998), 187-99.

28. Annemarie Weyl Carr and Laurence J. Morocco, *A Byzantine Masterpiece Recovered, the Thirteenth-Century Murals of Lysi, Cyprus* (Austin, Texas 1991), ch. III: "Cyprus in the Thirteenth Century," 85-7, which contains various factual and interpretive errors in the historical narrative.

autonomy and independence.²⁹ This exception proves the rule, however: much of Richard's work has focused on Latin missionaries to the Latin East and beyond, and the obvious spiritual element of such ventures. Gilles Grivaud, the most prolific French historian of Cyprus from a younger generation, goes even further and is virtually alone in seeing religion as a unifying factor on Frankish Cyprus: his reevaluation of the entire religious history of the period promises to be an exciting challenge to the traditional account.³⁰

This traditional account, however, accords well with deeply held impressions of Hellenism and Orthodoxy. Some recent Greek studies have ranged from those that merely focus on the Greek view from the present perspective to those that are (unconscious) propaganda. The Reverend Harry J. Magoulias reviewed the story of the two Churches in a 1964 article. Magoulias is usually somewhat neutral toward the Latins, but he generally equates "Cypriots" with "Greek Cypriots" and gives the impression that the Roman Church often used "force" against the "heretics":

[P]apal policy toward the Orthodox Cypriots was a vacillating one. The Latin Church could never quite make up her mind whether to treat the Greeks with toleration and moderation viewing them simply as schismatics, who only needed to be cajoled back into the Roman fold or whether they were to be persecuted and coerced into submission to Rome as wicked heretics.³¹

Magoulias, who occasionally borrowed phrases from Hackett, was in turn one of the main sources for Miltiades B. Efthimiou, whose 1987 book *Greek and Latins on Cyprus in the Thirteenth Century* begins ominously: "The following chapters attempt to interpret the meaning and spirit of Orthodox Christianity as a movement which finds its center in faith – in the kingdom of God."³² His overall assessment of the Latin Church is reminiscent of Magoulias (Efthimiou, pp. 51-2):

Latin rulers treated their Greek subjects at times with toleration and moderation and at other times resorted to persecution and coercion, depending on whether they were to be viewed as heretics or schismatics. The policy, therefore, was one of vacillation between forceful submission and cajoling diplomacy.

29. See especially Jean Richard, "A propos de la 'Bulla Cypria' de 1260," *Byzantinische Forschungen* 22 (1996), 19-31.

30. Grivaud, (2001), esp. Part III, c. 2: "La religion." Grivaud's substantial treatment covers many of the documents included here, but as it is not yet published I will only cite it where I rely on it.

31. Harry J. Magoulias, "A Study in Roman Catholic and Greek Orthodox Church Relations on the Island of Cyprus between the Years A.D. 1196 and 1360," *The Greek Orthodox Theological Review* 10 (1964), 75-106, quote on p. 103.

32. Miltiades B. Efthimiou, *Greeks and Latins on Cyprus in the Thirteenth Century* (Brookline 1987), 9.

Efthimiou's portrayal of the papal legates, on the other hand, is like that of Hill quoted above (Efthimiou, p. 40): "The representatives of the Roman See proved too often to be tactless, thereby widening the chasm that existed between the Latins and Greeks, especially when they dealt with opponents of a very similar character." Despite these shortcomings in historical scholarship (Magoulas and Hill are not cited in the places above) and numerous errors of a general or specific nature, Efthimiou's observations about the Roman Church are often perceptive. Thus, although Efthimiou is more a participant than an observer, his chapter "Cyprus and Latin Theocracy" is a real attempt to understand the papacy on its own terms.

In contrast, one of the most extreme proponents of the Greek Orthodox cause was Benedictos Englezakis.³³ Putting aside the fact that he sometimes projected his own notions of Orthodoxy back on the Middle Ages in treating the internal history of the Greek Church, Englezakis approached the Roman Church not as an historian but as a polemicist. He interpreted every papal action in the most negative way possible, picking and choosing his evidence accordingly. Even Innocent IV, otherwise portrayed as pro-Greek or at least sympathetic to the Greek Church, has for Englezakis completely temporal motives: popes are incapable of spiritual motives, and Joseph Gill is even chastised for being unaware of the "historical reasons for the tolerance of Innocent IV" (p. 215, and n. 3). The *Bulla Cypria* is a monument to "the new fears of the Curia" at the end of the Latin Empire of Constantinople (p. 215). When the pope complains about "some Greeks" doing something against Rome, for Englezakis it becomes "*the Greeks*" (p. 217). For Englezakis, in sum, the "Frankish period was nothing other than the Latin captivity of the Church of Cyprus" (p. 220).

The leading Cypriot historians of the Frankish period, both the older and the younger generation, are more sophisticated. The older generation is represented by Theodoros Papadopoulos and Costas Kyrris. Kyrris, who has contributed a vast amount to a wide variety of topics in Cypriology, applies his great store of knowledge primarily to the Greek Church in the Frankish period. Although he is well aware of the literature on the Latin Church, he still prefers to interpret the relationship between the two churches as adversarial from the start in the first two centuries "of the Frankish *occupation*," focusing on Greek sources and on the Greek perspective. In this way, for example, he claims that the death of the Kantara monks is, first of all, for their "having established a monastic community by infraction of the rules of that [Famagusta] council, thus disobeying the imposed Latin law," while the basic cause, their claim that the Latin use of unleavened bread is heretical, is only listed second. In this case the Greek source is clearly in error.³⁴

33. Benedictos Englezakis, "Cyprus as a Stepping Stone between East and West in the Age of the Crusades: the Two Churches," in idem, *Studies in the History of the Church of Cyprus, 4th-20th Centuries* (Aldershot 1995), XI (213-20).

34. See especially Costas P. Kyrris, "L'organisation de l'église orthodoxe de Chypre pendant les deux

Theodoros Papadopoulos, the editor of the monumental, multi-volume *History of Cyprus* in Greek, has a similarly wide range of scholarly interests. Papadopoulos approaches Frankish Cyprus in general from a social anthropological perspective, looking at the internal “frontier” between the “dominant class” and the “dominated population” belonging to two different ethno-religious groups. Historians might disagree with the application of social anthropological models to the distant past since they tend to minimize the specific differences between various groups of people and times, but Papadopoulos’s methodology allows him to see the points of contact and even syncretism. When he focuses on ecclesiastical issues, however, Papadopoulos’s own personal perspective becomes manifest. For example, “Cypriots” is used for Greek Cypriots, and “Cypriot Church” and “Church of Cyprus” refer to the Greek Church of Cyprus, so a priori no Latin or Frankish (or other non-Greek) church or population is allowed to be fully Cypriot. Papadopoulos has a solid grasp of the primary literature even in Latin, but the evidence is interpreted against the possibility of true “Orthodox” obedience to Rome and the Latins. Where such evidence exists, it can only mean “small numbers” of Greeks and/or “superficial” and “nominal” submission. When documents say “some Greeks” resist the Latins, it becomes “the Greeks.” Very troublesome events, such as the 1340 council in which all the Greeks bishops apparently agreed voluntarily to the Roman Catholic profession of faith, are downplayed or avoided altogether.³⁵

There are several younger Cypriots who touch on relevant topics, but two stand out: Nicholas Coureas and Angel Nicolaou-Konnari. Konnari’s recent PhD dissertation on Greek-Frank assimilation, drawing inspiration from Papadopoulos, parallels Grivaud’s work but, perhaps inevitably, with a focus on

premiers siècles de l’occupation franque,” *Επετηρίδα της Εταιρείας Βυζαντινών Σπουδών* 48 (1990-91), 327-66, some of the contents of which are also in English in his “Greek Cypriot Identity, Byzantium, and the Latins 1192-1489,” *EKEE* 19 (1992), 169-85, the quotation coming from p. 172. See also his *History of Cyprus*, 2nd edition (Nicosia 1996), 228-33.

35. For his anthropological approach, see e.g. Theodoros Papadopoulos, “Chypre: frontière ethnique et socio-culturelle du monde byzantin,” in *Chypre dans le monde byzantin* (Athens 1976), 5-51, on the churches, 24-8. Papadopoulos treats the Greek Church and its relations with the Latins extensively in Papadopoulos (1995), the pertinent period on 543-618 (leaving little for Giorgio Fedalto to do in his chapter on the Latin Church). This is one of the longest treatments of the topic. Two examples will suffice to show how Papadopoulos’s modern Greek Orthodox angle affects his presentation. First (p. 590), Hugh of Fagiano’s re-issuance in 1252 of a list of 19 excommunicable sins that had been published in 1251 is used as evidence that the decrees were not being obeyed and that obedience to the Latins was only nominal, when in fact the list included a number of perennial and general sins like gambling and prostitution and its verbatim repetition represents routine annual procedure, as stated elsewhere in the *Synodicum Nicosiense* explicitly (G.IV.c). Second (p. 602), Papadopoulos declares concerning the *Bulla Cypria* that “on the field of negotiations with the papal authorities the *possibilities* for the improvement of relations between the two Churches were zero” (*italics mine*), although obviously Germanos and the Greek bishops who went all the way to Rome and appealed to the pope did not think so.

the Greek side. Her examination of the religious situation in the first century or so of Lusignan rule, therefore, emphasizes the Latin Church's "coercive policy" more than anything else, and then deals more deeply with Greek resistance or compromise. Although the *Bulla Cypria* de facto provided the Greek Church with much "doctrinal, jurisdictional, and financial autonomy," she writes, it still represents the "finalization of its *submission* to Rome."³⁶ Coureas's focus is the Latin Church itself. His book on the Latin Church to 1312 will soon be followed by a second volume taking the topic down to 1378. Coureas exploits the Latin documents more fully than anyone else, and so his story often gives details and comparisons not found in the other studies. The only important thing lacking is an emphasis on the spiritual element of ecclesiastical history. Coureas looks upon the Church, both Latin and Greek, primarily as institutions out for power and money, and so the stress is on jurisdiction, obedience, and income for their own sake. Different ideas about the true path to salvation play little role.³⁷

For Coureas and most others, the Latin Church on Cyprus was a failure because it did not make the Greeks into Roman Catholics. Continuing complaints about schismatics and heretics in the fourteenth century reinforce this impression of failure. The very fact that the Greeks retained their separate identity and had subordinate positions in society makes it difficult to see how Christian unity could have been achieved on Cyprus. But one can find complaints about heretics everywhere, even where there was only one rite, and social inequality was the rule of the day. Controls put on Greek serfs resemble those on serfs in places where there was little ethnic diversity. The idea of national identity, moreover, is not easily applied to the thirteenth and fourteenth centuries. Finally, the popes continued to insist that the only thing required of the Greeks was correct doctrine, which included acknowledgment of papal primacy. This was a matter of salvation and damnation. Language and rite, the main elements of Greek Orthodoxy, were tolerated as long as they did not affect doctrine. So the final question is whether, in Roman eyes, the Greeks were doctrinally Catholic. The fact that some were not does not tell us much, because there were dissenters all over. It is impossible to give one correct answer to this question, but it is instructive that the ones that have been given are not surprising, given the background of each historian.

36. Angel Nicolaou-Konnari, "The Encounter of Greeks and Franks in Cyprus in the Late Twelfth and Thirteenth Centuries: Phenomena of Acculturation and Ethnic Awareness" (PhD dissertation, University of Wales, Cardiff, 1999), esp. ch. 9 (286-363), quotation from p. 363. As in the case of Grivaud's study, this work, which touches upon many of the documents translated here, is not yet published, so I will not cite it unless I rely on it.

37. Nicholas Coureas, *The Latin Church in Cyprus, 1195-1312* (Aldershot 1997). Coureas deals with virtually every document translated here dating from before 1312, but I will only note where he treats them in his last chapter, "Relations between the Latin and Orthodox Churches," 251-317. While awaiting his second volume, his thoughts on the later period are in "Conversion on Latin Cyprus: A New Faith or a New Rite?" *EKEE* 24 (1998), 77-86.

The Background: Orthodoxy, Heresy, Schism

The important thing to remember about the differences in doctrine and practice is that the Latins maintained the truth of their beliefs and rites as strongly as the Greeks did theirs.

Tolerance is a social rather than a religious virtue. A broad-minded view of the private belief of others undoubtedly makes for the happiness of society; but it is an attitude impossible for those whose personal religion is strong. For if we know that we have found the key and guiding principle of Life, we cannot allow our friends to flounder blindly in the darkness. We may recognize that without the key they may yet lead virtuous and admirable lives, but their task is made unnecessarily hard; it is our duty to help them on to the true Path, to show them the light that will illuminate it. Opinions may vary as to the nature of the help that should be given, whether peaceful persuasion and a shining example, or the sword and the *auto da f *.³⁸

With these perceptive words the late Sir Steven Runciman began his book *The Medieval Manichee*. For Runciman (p. 2), “the Church was narrow-minded because the true Path is narrow, and it knew that for Christians no other path led to salvation.” He was referring to the “orthodox” (in the wide sense) Christian Church’s attitude toward heretics, but his remarks apply equally to anyone who believes in one path to salvation. I want to apply them here to the Roman Catholic Church’s approach to Greek Orthodoxy. The Roman Catholic Church may have changed its opinion about the nature of the “help” to be given to the Greeks, and even the exact nature of the Path, but one must understand its duty to “assist” and its belief that in defining that Path in its theology the Roman Church had used “the best brains of a great intellectual era to display all the implications of that revelation” (ibid.). Runciman meant the Fathers of the Church, but I mean the continuing tradition of Western theology, especially of medieval scholasticism. Runciman’s words help us understand how Greeks and Latins have seen and acted toward each other over the past millennium.

Besides the obvious issue of papal primacy (papal infallibility was not yet doctrine in the West), about which the documents themselves will speak, the most important doctrinal dispute between Greek and Latins surrounded the *Filioque*. Just as no Greek today could agree with the *Filioque* and papal primacy without thereby becoming a Latin, at least in Orthodox eyes, no Latin could

38. Sir Steven Runciman, *The Medieval Manichee: A Study of the Christian Dualist Heresy* (Cambridge 1947), 1.

abandon these without becoming a Greek, in Catholic eyes. While modern western theologians sometimes admit that the unilateral insertion of the *Filioque* into the Chalcedonian Creed, without the advice and consent of the Greeks, was an error, they nevertheless maintain the correctness, even necessity, of the belief that the Holy Spirit also proceeds from the Son.³⁹ In the tradition of Greek and Latin theology, they claim that each Oecumenical Council, from Nicaea on, clarified the same true doctrine in the face of new heresies, and so they assert that the Synod of Frankfurt (794) in which the *Filioque* was proclaimed fits perfectly into that tradition. That is, the Adoptionist heresy of Spain, which jeopardized the divinity of Christ, was met by an even more extreme stress on Christ's divinity, a stress that according to westerners does not contradict but rather further explains the previous Creed. Moreover, they point to passages not only in the Latin fathers but also in the Greek patristic tradition, such as in the works of St Epiphanius of Salamis, that support the *Filioque*. In brief, every solid argument that the Greeks brought and bring against the *Filioque* was and is met by a solid Latin response, except perhaps for the unilateral nature of its insertion. It is instructive to quote one of the clearest and most succinct presentations of the Latin view, that of Thomas Aquinas:

In every council of the Church a symbol of faith has been drawn up to meet some prevalent error condemned in the council at that time. Hence subsequent councils are not to be described as making a new symbol of faith; but what was implicitly contained in the first symbol was explained by some additions directed against rising heresies. Hence in the decision of the Council of Chalcedon, it is declared that those who were congregated together in the Council of Constantinople handed down the doctrine about the Holy Spirit. This did not imply that there was anything wanting in the doctrine of their predecessors who had gathered together at Nicaea; what they were doing rather was to explain, against the heretics, what those fathers had understood on the matter. Therefore, because at the time of the ancient councils the error of those who said that the Holy Spirit did not proceed from the Son had not yet arisen, it was not necessary to make any explicit declaration on that point; whereas, later on, when certain errors rose up, in another council assembled in the West, the matter was explicitly defined by the authority of the Roman Pontiff, by whose authority also the ancient councils were summoned and confirmed. Nevertheless the truth was contained implicitly in the belief that the Holy Spirit proceeds from the Father.⁴⁰

39. Cf. e.g. Robert W. Jensen, *Systematic Theology I: The Triune God* (Oxford 1997).

40. Thomas Aquinas, *Summa Theologiae* I, q. 36, a. 2 (in *Basic Writings of Saint Thomas Aquinas*

But it should be noted that the story is more complicated, because many historians and theologians both in the West and the East are unaware of the fact that there was no consensus in the West about *how* the persons of the Trinity are distinguished and whether the Holy Spirit must necessarily proceed from the Son in order to be distinct from Him. The assumption is that Aquinas reflects the official Roman position of the time, that the persons of the Trinity are distinct because of opposing relations: thus, if the Holy Spirit did not proceed from the Son, it would not be distinct from the Son.⁴¹ In fact, there was disagreement on this issue, and some Franciscans, for example, held that opposing relations are not the foundation of the distinction between the Son and the Holy Spirit. Therefore, they maintained, because the Holy Spirit would still be distinct from the Son even if It did not proceed from Him, the Greek position is *not* impossible, although it is *de facto* incorrect.⁴²

Another issue, much more important in the East than in the West, is the dispute over the use of leavened or unleavened bread in the Sacrament of the Eucharist, the *enzymo/azymo* debate. Here there are several problems. First, the Latins accepted the Greek practice, contrary to many eastern and western commentators who, misunderstanding or misrepresenting the disagreement, maintain that the Latins considered the Greek practice heretical. On the contrary, as many Greek scholars are aware, it was the Greeks who rejected the Latin practice as heretical. In the case of Cyprus, thirteen monks were executed not because of their practice, but because of their accusation of heresy against the Latin practice. The Latins eventually responded that these monks were heretics not because of incorrect practice (because this was not heretical, in the eyes of the Latins), but because of their incorrect and heretical belief that the Latins were heretics for using unleavened bread. Again the importance is not who was right and who was wrong, because this is a question an historian cannot answer. It is interesting to note that modern western historians often express regret at the incident, and some eastern writers, such as Meyendorff himself, assert that the Greeks' claim that the Latins were heretics is quite dubious.⁴³ "Interesting" to note, but irrelevant and even unfortunate: it is not the historian's task to express regret or to correct earlier co-religionists.

I, trans. A.C. Pegis [New York 1945], 346-7). Efthimiou's (1987), 82, charge that the Latins were ignorant of the addition is to be rejected, but perhaps his reliance on Eastern Orthodox secondary sources for Western history and theology explains his opinion.

41. For example, this is taken to be the western medieval position by Jensen (1997) and, on the Orthodox side, John Meyendorff, *Byzantine Theology. Historical Trends and Doctrinal Themes* (New York 1979²), 94.

42. On this see Russell L. Friedman, *In principio erat verbum: the Incorporation of Philosophical Psychology into Trinitarian Theology, 1250-1325* (UMI 1997).

43. Meyendorff (1979), 95.

The historian simply cannot take a stand either way, for by choosing a particular metaphysical truth she abandons history altogether. To be sure, many "historical" commentators, especially those approaching the subject from the Byzantine side, fall into this trap, and their works face outright rejection as *history*. The West, aided by disunity in the wake of the Reformation, the safety from the Turkish threat, and maybe even the uncertainty of the post-modern world which the eastern world has yet to enter, more easily dispenses with theological dogmatism in history: one cannot be dogmatic in the same way without risking rejection in the West itself. Nevertheless, it often does occur in the West as well. Indeed, western theologians and historians of theology provide fuel for easterners in both cases: if they avoid judgment, they are seen to doubt the western stance; if they are dogmatic, it is usually against other westerners, so that, for example, Protestant theologians criticize Catholic doctrine. Even the pope cannot afford not to be theologically revisionist, as is witnessed by the reevaluation of the Holy Inquisition. All of this lends support to the Greek confidence in the absolute righteousness of their beliefs. This may be good for Greek theology, but it is disastrous for Greek historiography and impairs a proper understanding of the motives of the actors at the time.

The overall story of the doctrinal and intellectual relations between East and West will have to wait for another time. For now it is useful to quote the words of Kenneth Setton, whose attempt to explain how the two sides could be sincere and yet fail to agree seems to me to come closest to the truth, if perhaps a little too black and white. His words apply to 1204, but they apply equally well to 1196:

Discord and disagreement were inevitable between two groups of ecclesiastics who had been brought up with divergent views of the substance and function of canon law. Papal letters were never a significant source of law in the Greek East where, furthermore, St Augustine was little known and hardly ever read. Greeks and Latins had different conceptions of the meaning and proper organization of the Church as a spiritual reality as well as a hierarchical structure, the body of Christ as well as the assembly of all believers. Different traditions had produced different mentalities, different ecclesiologies. In the early thirteenth century Greek Orthodoxy was still satisfied with the traditional religious synthesis which had been largely completed by the Seventh Oecumenical Council (in 787), while the West had been subjecting the dogmatic tradition to constant analysis for three or four generations. The Greeks still adhered to the vague symbols of the past, and were repelled by the intellectual constructs of Latin Catholicism. There were no universities in the Byzantine world and no scholastic theologians hammering out doctrinal definitions on the iron anvil

of dialectic. A Platonic ideality fed the religious mind of Orthodoxy, and theological contradictions seemed not to bother Greek divines who kept reading the patrology and the old conciliar decrees without asking questions. Various doctrines have remained to this day without precise definition in Greek theology. Latin Catholicism may have defined too much, too sharply. Greeks and Latins spoke different languages figuratively as well as literally. As the eastern mystic became concerned with the divine vision, the juridically minded westerner thought of his moral presentment before God. As reason became the dominant passion of Latin theologians, the Greeks tended to retreat into an ivory tower of spiritual and cultural irrationalism. But there was nothing irrational about the Greeks' rejecting the Roman interpretation of the 'primacy of S. Peter.' The Greeks had long been accustomed to an ecclesiastical multiformity at marked variance with the authoritarianism of Roman pronouncements of dogma, law, and the liturgy.⁴⁴

Under these circumstances, moreover, a clear mutual understanding would not always lead to good will, for the disagreements were too fundamental. No matter how well versed the Latins became in the Greek language, dogma, and tradition, no matter how impressively pious, humble, and also learned the Franciscan and Dominican delegations to the Greeks were in the thirteenth century, once the two sides put their cards on the table there was little to prevent the Latins from requiring acceptance of the *Filioque* and recognition of papal primacy, and to stop the Greeks from "calling after the hastily departing friars, 'It is you who are the heretics!'"⁴⁵

The Latin Approach to the Greeks

The Latins did not generally characterize the Greeks as heretics or even schismatics, however, especially before the thirteenth century, but rather as slightly lost sheep who had strayed from the flock. When Pope Celestine III installed a Latin ecclesiastical hierarchy on Cyprus, the Roman Church had much experience with different Christian rites. In the seventh century the papacy had to confront the Celtic Church in Northern England and later in Ireland, and in the eleventh century Rome found itself with ecclesiastical jurisdiction over Greeks in Sicily and Southern Italy in the course of the Norman takeover, especially after the Byzantine

44. Kenneth Setton, *The Papacy and the Levant (1204-1571) Volume I: The Thirteenth and Fourteenth Centuries* (Philadelphia 1976), 41b-42a.

45. Michael Angold, "Greeks and Latins after 1204: the Perspective of Exile," B. Arbel, B. Hamilton, and D. Jacoby, eds., *Latins and Greeks in the Eastern Mediterranean* (Ilford 1989), 78-9.

loss of Bari in 1071. With the conquests of the First Crusade other Greek Orthodox communities came under Latin control in the Kingdom of Jerusalem, the Counties of Tripoli and Edessa, and especially the Principality of Antioch. After the conquest of Cyprus in 1191, more Greeks were to see Latin prelates, beginning in 1196. Just eight years later Constantinople and much of Greece fell to would-be crusaders. Greeks in many places were subject to Latins by 1204.

This expansion of papal jurisdiction, which also extended into the Iberian Peninsula and Eastern Europe, coincided with the Gregorian Reform of the Western Church. This aimed at combating moral laxity, simony, and clerical marriage, but also at the independence of the Church from lay hegemony and, in theory, at papal primacy and even monarchy within the Church. It is important to remember that there was opposition to papal primacy even among Latins, and the development of the canon law mechanism to provide support was a slow process. It is significant that the "Latin" Patriarch Ralph of Antioch (1135-1140), finding himself in a position of strength, decided to ignore papal primacy and even precedence by reason of the chronological priority of the foundation of his see. Temporarily, until his situation deteriorated and he submitted, Ralph was neither "Roman Catholic" nor "Greek Orthodox," but merely "Antiochan."⁴⁶ So not only did the papacy face secular opposition in the West itself, most notably from the Holy Roman Emperors, but also ecclesiastical resistance.

But the papacy did have power over the Greeks and a say in the ecclesiastical affairs of the newly conquered territories. By the time it came to deciding definitively on the future of Cyprus, in 1220-22, the pope had several models to choose from, although the old principle that there could be only one bishop per diocese prevailed. In southern Italy and Sicily, in cases where most of the population was Greek the bishop, language, and rite remained Greek, otherwise a Latin took over and a Greek was named *protopapas* for the Greek population. In some cases conflicting territorial claims resulting from the chaos of the late tenth and early eleventh century struggles between pope and patriarch necessitated some further adjustments. In addition, since in the Norman territory of England, Wales, and Normandy there were only 25 bishoprics, and in the Kingdom of Sicily 144, the Normans found the high number of bishoprics to be inefficient, and some were suppressed. Greek bishops were required to recognize papal primacy (some did, some refused), but there was generally no deliberate policy of Latinization, and in fact Greek monasticism flourished. Even where there was some intended Latinization, as in Calabria, the last Greek rite see went Latin only in 1573. Greek Orthodoxy did decline, but usually for reasons unrelated to papal policy.⁴⁷

46. See Bernard Hamilton, "Ralph of Domfront, Patriarch of Antioch (1135-40)," in idem, *Crusaders, Cathars and the Holy Places* (Aldershot 1999), VII (reprint from *Nottingham Medieval Studies* 28 [1984], 1-21).

47. See G.A. Loud, "Byzantine Italy and the Normans," in idem, *Conquerors and Churchmen in Norman Italy* (Aldershot 1999), III (reprint from J.D. Howard-Johnston, ed., *Byzantium and the West*

In the crusader states in Syria and Palestine, after the death of Pope Urban II and his legate Bishop Adhémar of Le Puy, the Frankish lords proceeded with the Latinization of the hierarchy in the absence of papal opposition. To some extent this was inadvertently promised beforehand, for the secular ruler of the conquered territories, who was presumably to be the Emperor Alexios Comnenos, would dictate the rite. In any case the new pope, Paschal II, followed a different policy from that of Urban and supported the Latinization. The death in Cyprus of the Orthodox Patriarch Symeon of Jerusalem in 1099 removed the main obstacle to a Latin patriarch of Jerusalem, and the threat of Byzantine invasion in Antioch removed the primary impediment to a Latin patriarch of Antioch. In the Kingdom of Jerusalem, as in the Kingdom of Sicily, there were too many poor bishoprics for the Latins' liking; some were suppressed, borders were redrawn, and other changes were made. Latin bishops eventually took over, but they took advantage of the defunct bishoprics to assign them to some Orthodox bishops who were coadjutors or vicars for the Orthodox population, without territorial jurisdiction. Again as in Sicily and southern Italy, Orthodox monasticism fared better.⁴⁸

The third model was provided by the Latin Empire of Constantinople. This might strike one as odd, the conquest having occurred thirteen years after Richard the Lionheart captured Cyprus. But in Cyprus the papacy dragged its feet: five years went by before a Latin hierarchy was established, and another quarter century before the pope decided to do something about the Greek hierarchy. Pope Innocent III was caught unprepared by the results of the Fourth Crusade. At first he chose the model of the Kingdom of Sicily, with a Greek bishop for an overwhelmingly Greek population and a Latin bishop with a Greek *protopapas* for a mixed population. Sometimes, especially after the approval of the practice by the Fourth Lateran Council in 1215, Greek bishops kept their titles but had to live outside the towns of the Latin bishops as coadjutors. The Greek bishops were to submit to Rome, of course; some did and others chose exile. In actual practice, Latins usually replaced Greeks when there was a vacancy. As elsewhere, the local Latins found too many small bishoprics, and consolidated some of them. Orthodox monasticism suffered more than in other places of Latin rule.⁴⁹

c.850-c.1200 [Amsterdam 1988], 215-33), and idem, "Churches and Churchmen in an Age of Conquest: Southern Italy, 1030-1130," in *Conquerors and Churchmen in Norman Italy*, VIII (reprint from *The Haskins Society Journal* 4 [1992], 37-53). Jean Richard, "The Establishment of the Latin Church in the Empire of Constantinople, 1204-1277," in B. Arbel, B. Hamilton, and D. Jacoby, eds., *Latins and Greeks in the Eastern Mediterranean after 1204* (Ilford 1989) 45, agrees. Loud and Richard argue convincingly against the theory of deliberate papal Latinization supported by L.R. Ménager and P. Decarreaux. Although he does not focus on the issue, Donald Matthew, *The Norman Kingdom of Sicily* (Cambridge 1992), 94, follows Loud and Richard.

48. See Bernard Hamilton, *The Latin Church in the Crusader States. The Secular Church* (London 1980), 159-87, and idem, "The Latin Church in the Crusader States," in idem, *Crusaders, Cathars and the Holy Places* (Aldershot 1999), IX (reprint from A. Davids and H. Teule, eds., *East and West in the Crusader States* [Leuven 1996], 1-20).

49. Richard (1989); see also Robert Lee Wolff, "The Organization of the Latin Patriarchate of Constantinople, 1204-1261," *Traditio* 6 (1948), 33-60.

So the Latins had various options available. It must be stressed that generally the Latins had not actually forced the Greeks to conform doctrinally. There was in reality much toleration, and a clear distinction was made between the Greeks and the other Eastern rites, which were not considered orthodox. In fact, it was because the Greeks were accepted as part of the one true Church that they were subordinated to the Latins. This needs to be emphasized because it has become a cliché that the Latins considered the Greeks schismatics and even heretics after the "Schism" of 1054, which is certainly not the case. Even Byzantinists who are aware of this, such as Ralph-Johannes Lilie, nevertheless continue to make dangerous use of terms and thus perpetuate the myth. It is revealing that, in an otherwise excellent book, when Lilie suggests that in the First Crusade Godfrey of Bouillon was not prepared to fight "against Christians, even if they were 'only' heretical Greeks," even using quotation marks around "only," Lilie adds in a footnote: "The accusation of heresy was not raised against the Greeks during the First Crusade. It appears to have played no part at this time."⁵⁰ Later, Lilie claims that the Latins considered the Byzantine emperor a "schismatic" in the First Crusade,⁵¹ but in a footnote, again, he admits that "this is the *only* indication during the First Crusade of *the* schism between Rome and Byzantium" (*italics mine*), and that it came from the Latin princes of the East – not clerics – and might even apply to the local Greeks of Antioch rather than the Byzantines.⁵² And yet Lilie continues his narrative as if the official Roman line was that the Greeks were schismatics and heretics.⁵³ He thus interprets a papal letter of 1138 referring to "the King of Constantinople, who separates himself from the unity of the Church" as calling him a "schismatic" (and Lilie repeats that this is the *first* such reference except for the earlier accusation of the Latin princes in the First Crusade), when the word is not even used.⁵³ In fact the Latin ecclesiastical hierarchy used "schismatic" and "heretic" very carefully as precise legal terms, in the judicial tradition of the West. Perhaps the Greeks were more prone to employing them loosely against the Latins, and maybe this is why Lilie and some other Byzantinists do so as well.

The purpose of a translation is not to overload the reader with an interpretive apparatus. Given the controversial nature of the field, however, below I will at least give an outline of what these documents tell us about the Latin Church of Cyprus and its relations with the Greeks in the first half of the Frankish/Latin period. Other sources will be almost completely ignored, and the story will be told from an almost purely Latin perspective, in an attempt to answer the question: What did the Latin Church think and seek in Cyprus?

50. Ralph-Johannes Lilie, *Byzantium and the Crusader States 1096-1204* (Oxford 1993), 9 and n. 43.

51. Lilie (1993), 27 and n. 111.

52. E.g. Lilie, (1993), 40, again for the First Crusade, using the term "heretics" for the same document he had earlier claimed to be the only indication of the "schism."

53. Lilie (1993), 131-2 and n. 149. On p. 133 the term "schismatic" is used again.

The Secular Latin Church of Cyprus and the Greeks, 1196-1373

The western opinion that the Greeks were schismatics only came about gradually, becoming common around the time of the Third Crusade.⁵⁴ Pope Celestine III's letter of 20 February 1196 (X.1) lays down the papal position clearly: the pope is the successor of Peter and has full sovereignty from Christ over all the Church, and Lord Aimery of Cyprus, following his brother Guy's example, wants to lead Cyprus away from schism and back on the true path of the "Orthodox Mother Church," that is, the "Roman Church." In the next letters of December 1196 and January 1197 (X.2-3) Celestine (1191-98) establishes a Latin hierarchy of the archbishop of Nicosia and three suffragans in Paphos, Limassol, and Famagusta. In the tradition of the Gregorian Reform, the pope attempts to ensure the local church's financial independence from the crown (for Aimery had become king), the construction of proper cathedrals, and the outlawing of private chapels to bolster the hierarchy's ecclesiastical sovereignty. Perhaps violation of ancient canons would be avoided by the removal or subordination of the Greek hierarchy, which, in Celestine's eyes, was the prerogative of the secular leader.⁵⁵

The first letter (X.1) demonstrates that Celestine had clear goals concerning the Greeks, but lacked the time to accomplish anything. His famous and powerful successor Innocent III (1198-1216), however, was content to leave the Greeks alone: the fourteen Greek bishops, including the archbishop of Cyprus, remained independent.⁵⁶ Moreover, there is little evidence that a great deal of the property of the Greek Church was confiscated. In this Cyprus was perhaps lucky to fall to leaders from the Latin East who had already learned to live with their Orthodox neighbors, in contrast to the western invaders of the First and Fourth Crusades. St Neophytos, who complains about the Latins bitterly, nevertheless reveals that his own monastery did not suffer direct losses.⁵⁷ When a Greek synod met in Nicaea in 1209, the acts relate that "when the Latins had captured the island [of Cyprus] the churches remained in their usual order and so did the

54. The Attitudes of various popes are outlined in Malcolm Barber, "Western attitudes to Frankish Greece in the thirteenth century," in Arbel, Hamilton, and Jacoby, eds., *Latins and Greeks*, 111-28; reprinted in idem, *Crusaders and Heretics, 12th-14th Centuries* (Aldershot 1995), X.

55. Mas Latrie I (1851), 122-4; Hackett (1901), 74-5, condemning the establishment of the Latin hierarchy, contrary to the third oecumenical council "which especially exempted Cyprus from all external interference" (p. 75, n. 1: Hackett does not see that Aimery's request was internal, not external, and that the pope considered all provinces his jurisdiction); Magoulias (1964), 75-6; Furber (1969), 624; Gill (1977), 74; Kirmitses (1983), 12-13; Efthimiou (1987), 31-2; Richard (1989), 57; Kyrris (1990-91), 327-8, reading the destruction of the Greek Church into it; Papadopoulos (1995), 550-2; Richard (1996), 20-1; Coureas (1997), *passim*; Ioannides (2000), 337.

56. Contrary to Efthimiou (1987), 38, misinterpreting Wilbrand of Oldenburg. Innocent did reissue Celestine's foundation charter, X.2, in 1202.

57. See e.g. Catia Galatariotou, *The Making of a Saint. The Life, Times and Sanctification of Neophytos the Recluse* (Cambridge 1991), *passim*.

clergy, as long as Sophronios the blessed archbishop was counted among the living.” At Sophronios’s death, the emperor did not nominate a replacement for some years, and so the Greek clerical and lay leaders gathered and, with the permission of King Aimery – “for he appreciated men of faith, integrity, and devotion to piety” – they elected Esaias.⁵⁸ The celebrated examples of confiscation, such as Episkopia (Bellapais), Stavrovouni, and the Cathedral of Ayia Sophia, are cloudy, and in any case the Latin hierarchy had no control over whatever losses the Greek Church did incur initially. Of course, the mere existence of the Latin rulers and then the Latin ecclesiastical hierarchy was annoying enough for the Greek clergy, and the fact that the Greek church was deprived of many of its benefactors was a severe financial blow.⁵⁹

While Innocent left the Greeks alone, he made an effort to guide the new Latin clergy. In a document that Mas Latrie published and dated to March 1223, the legate Peter, cardinal-priest of San Marcello, wrote a long letter (X.5) to the Latin clergy of Cyprus from Antioch, aiming at reform. The letter is merely dated “Antioch, 10 March,” but Mas Latrie dated the letter to 1223 because it was included in a letter of Honorius III of 19 July 1223 to the clergy of Cyprus. This would be odd, however, because the legate Pelagius was still active in the area at the time. In fact the author is none other than Peter Capuano, the papal legate during the Fourth Crusade, who left the main body for the East and later rejoined the movement in Constantinople after the conquest. Confirming Peter’s decrees, Honorius states that a Master Thomas, a canon of Nicosia, had shown him the letter of the papal legate Peter “of good memory,” indicating that Peter was dead.⁶⁰ Peter Capuano’s decrees should be dated to 1204: In January of 1204 (X.5) Innocent wrote to Peter about the latter’s confirmation of the Latin hierarchy and correction of abuses. Peter had passed through Cyprus on the way to Acre, but Peter did not

58. Pohlsander (1999), 142; Greek text in Naranzi-Barmazi (1996), 120. See also Costas Hadjipsaltes, “Ἡ Ἐκκλησία Κύπρου καὶ τὸ ἐν Νικαία Οἰκουμενικὸν Πατριαρχεῖον ἀρχομένου τοῦ ΙΓ’ μ.Χ. αἰώνος,” *Κυπριακαὶ Σπουδαί* 28 (1964), 135-44, although I have not consulted this; Gill (1977), 74: “Nothing especially untoward disturbed its regular administration”; Angold (1989), 72; Kyrris (1990-91), 329, n. 1.

59. This whole question deserves a separate study. Mas Latrie I (1851), 205, contends that the Latin Church was partially endowed with Greek Church property, while Hackett (1901), speaking anachronistically of Cypriot Greek “civil rights” (p. 76), states flatly that the Latin Church was “endowed out of the spoils of the Orthodox community.” See also Papadopoulos (1995), 552-3, n. 27; Edbury (1996), 6; Coureas (1997), 253-9, with a long discussion.

60. Ms. Archivum Secretum Vaticanum, Reg. Vat. 12, fol. 73r (#225): “__ Nicosiensi archiepiscopo, __ Pliphensi [sic], __ Famagustano, et __ Nimosiensi episcopis, et dilectis filiis capitulo et universo clero in Cypro constitutis. Exhibitas nobis per dilectum filium magistrum Thomam, Nychosiensem canonicum, litteras bone memorie P[et]ri, tituli Marcelli presbyteri cardinalis, tunc apostolice sedis legati, presentibus duximus prout eas in quibusdam correximus inserendas, quarum tenor est talis:” after which Peter’s letter follows, and finally Honorius briefly confirms Peter’s decrees (fol. 74r) and dates the letter “Datum Anagnie, XIII Kalendas Augusti, pontificatus nostri anno septimo.” From CD-Rom owned by the Cyprus Research Centre. Capuano is often wrongly called “of Capua.”

leave Benevento in Italy for Acre until April of 1203, so the letter from Antioch cannot be dated 1203.⁶¹ On the other hand, Peter was in Constantinople by the end of 1204.⁶² Thus Peter passed through Cyprus in 1203, confirmed and corrected, and then composed a long letter of reform from Antioch in March 1204 (X.5).

The incorrect dating to 1223 created some confusion among historians, because the nature of the decrees did not seem to fit in with the later period. For example, Peter supports the payment of five years' income to canons who wish to study theology, apparently abroad, even though the Fourth Lateran Council of 1215 decreed that each metropolitan church should have a school of theology. Other decrees concern the capture or death of canons and tithes, but also very basic themes such as clerics who maintain concubines, the obedience of clerics to their superiors, and the need to appoint chaplains for private chapels far distant from the cities, all concerns of a young Church.⁶³

While the two hierarchies existed side by side in Cyprus, events elsewhere were clearing the way for changes in Cyprus. In 1215 canon nine of the Fourth Lateran Council reinforced the position that there could not be two bishops in the same city or diocese, but left open the possibility that the bishop (presumable a Latin) could appoint a vicar for the parts of his flock who had different languages, customs, and rites (cf. Text B.1.b).⁶⁴ In Greece, as in Cyprus, there were disagreements between the Latin clergy and the laity over such issues as tithes. The Concordat of Ravennika of 1209, approved by Innocent III in 1216, stipulated that Greeks, even children of clerics, had to perform feudal services unless they were themselves ordained priests, who were free from serfdom and enjoyed canonical protection just as the Latin clergy. Nevertheless, limits were placed on the number of Greek clerics, and the Greeks were to pay obedience to the Latin prelates. The papal legate Pelagius of Spain, cardinal-bishop of Albano, so important in the Fifth Crusade and in Cyprus, was somewhat involved in the Greek accord as well.⁶⁵

In October of 1220, at the instigation of Pelagius, Queen Alice and the nobles came to an agreement in Limassol with Archbishop Eustorge of Nicosia

61. Werner Maleczek, *Petrus Capuanus: Kardinal, Legat am vierten Kreuzzug, Theologe* († 1214) (Vienna 1988), 165-6, and n. 33. Cf. Donald E. Queller and Thomas F. Madden, *The Fourth Crusade and the Conquest of Constantinople* (Philadelphia 1997), 94-5.

62. See Maleczek (1988), *ibid.*, and Richard (1989), 47 and 58, n. 12.

63. The new dating solves the problems seen by Richard (1989), 50 and 59, n. 33, who was confused about the appointment of chaplains when in 1221 Archbishop Eustorge had complained about their existence. The absence of a school of theology troubled the present author, in "Elias of Nabinaux, Archbishop of Nicosia, and the Intellectual History of Later Medieval Cyprus," *Cahiers de l'Institut du moyen age grec et latin* 68 (1998), 37-8, and Nicholas Coureas (1997), 90-2. On the decrees, see also Maleczek (1988), 172-3, and Coureas (2000), *passim*.

64. Papadopoulos (1995), 556, remarks that "with the council of the Lateran (1215/1216) [Innocent] prepared the ground for the Fourth Crusade," although this had taken place over a decade earlier.

65. See Setton I (1976), 41a, and Richard (1989), 48-9. On Pelagius, see Joseph P. Donovan, *Pelagius and the Fifth Crusade* (Philadelphia 1950; reprint New York 1978).

(1217-50) and his suffragans (X.6). The agreement has been discussed often in the past, so one should note just a few things.⁶⁶ First, there are similarities to the Concordat of Ravennika. The first items are tithes and the feudal dues of the Latin hierarchy's peasants,⁶⁷ but afterwards the queen grants Greek priests and deacons – but not their children – their freedom from serfdom, although they are to show obedience to the Latin clergy. Certainly the Latin hierarchy sought the freedom of the Greek clergy, so that one could say that the Latins were the Greeks' advocates. The Latins also won the obedience of the Greek clergy, and it should be stressed that spiritual and hence doctrinal obedience is spelled out, something overlooked by some commentators. But the Greeks' freedom from serfdom and their control by the Latins came at a price, for as in Greece the crown and nobility, it appears, wanted limits placed on the ordination of Greek priests and deacons, and the Latin archbishop and bishops had to pledge to replace any serf whom they had allowed to be ordained. Although it has been complained that the Greeks played no roll in the negotiations, it is plausible that the Latin clergy had some of their interests at heart.⁶⁸

So far Cyprus had moved in the direction of the model of Frankish Greece. Then Pope Honorius III (1216-27) became involved. Honorius took a harder line than had Innocent III (X.7-8): he maintained that the Greeks should not be allowed to be bishops in the same sees as the Latins and he complained about the Greek "schismatics'" behavior, which is described in some Greek sources. The salient point may be that some of the Greek bishops refused to show obedience to the Latins, for in a follow-up letter Honorius expressed a similar concern for the Syrians, Jacobites, and Nestorians (and perhaps Maronites) who were not obedient to Rome (X.9).⁶⁹ The local Latin hierarchy had probably informed Honorius of the situation. It is not exactly clear what status Honorius wanted the Greek bishops to have, but he did imply that the Latin bishops were the Greeks' successors from the time of the installation of the Latin hierarchy, and not just since the 1220 agreement. Queen Alice asked that they be tolerated for the sake of the peace. Honorius shot back that the disobedient bishops could lead a rebellion against the Roman Church *and* the crown itself. The execution

66. See also Mas Latrie I (1851), 205-7; summary in Hackett (1901), 82-3; Hill III (1948), 1043; Magoulias (1964), 78; Furber (1969), 625; Gill (1977), 75-6; Kirmitses (1983), 14-15; Efthimiou (1987), 40-1, with some problems; Kyrris (1990-91), 328; Papadopoulos (1995), 558-60, with a small typo: "1222"; Coureas (1997), 259-74, contrary to whom the "military and religious orders" were not represented.

67. Kyrris (1990-91), 328, understandably confuses "dimos" with "decimas" and speaks of "les vilains sur les terres de l'église grecque..." Cf. Kyrris (1992), 171.

68. Without evidence, Hill III (1948), 1044, states that the Greeks had not been consulted. Coureas (1995), 259, and others agree. Coureas also contends (261, 263, 272) that the Latin Church was merely acting in its own financial interests. This seems to me an overly cynical interpretation. I follow Gill (1977), 75, who suggests that the pact also met the demands "to some extent of the Greeks."

69. Mas Latrie I (1851), 85; Hackett (1901), 85; Hill III (1948), 1044-6; Furber (1969), 625-6; Gill (1977), 76; Kyrris (1990-91), 328-9; Papadopoulos (1995), 561, n. 46, 564-5; Coureas (1997), 260-1, 266-71.

of the Kantara monks just a decade later demonstrates that the secular arm took Honorius's warning seriously.

It has been suggested that the second agreement, done in September 1222 in Famagusta, was a compromise in that Honorius did not eliminate the Greek bishops altogether.⁷⁰ But the terms of the agreement (X.11) are consistent with Honorius's demands, because in fact the Greek bishops were reduced to the status of coadjutors of the Latin bishops, and they were not to reside in the cities of the Latin prelates. Thus they no longer functioned fully as bishops, and they were not "really" residing in the Latins' dioceses. What occurred was the adoption of the model of the Kingdom of Jerusalem, which in the first agreement applied only to the question of tithes. Now, as is repeated three times, the relationship between the Latin and Greek clergy was also to follow the Jerusalem model (changes from the 1220 agreement are in bold print; X.11.3, 7, 10b). As in Jerusalem, this meant the reduction of the number of bishoprics (in this case from thirteen or fourteen to four) and the exploitation of some of the smaller bishoprics outside the cities as the seats of the remaining four Greek bishops. With the exception of Lefkara within the Latin diocese of Limassol, the seats retained (Solea for Nicosia, Arsinoe for Paphos, and Karpasia for Famagusta) were already existing Greek bishoprics, so it is not exactly true to say that the Greek bishops were banished to remote villages in their dioceses.⁷¹ The reduction of the number of bishoprics, for the Latins, was probably seen as economical, just as the reduction of poor and small dioceses had been seen in Jerusalem, the Kingdom of Sicily, and Latin Greece. It is instructive that the present Church of Cyprus has never returned to the fourteen bishoprics it once had. In other respects, the situation of the Greek clergy is made more precise (X.11.3, 5, 7, 9), to control better the numbers and movement of Greek clerics. It is also implied that there would no longer be a Greek archbishop (X.11.10b), but this is not stated explicitly. After all, in keeping with Lateran IV, the Greek archbishop of Cyprus did not have the same title as the Latin archbishop of Nicosia. Pope Gregory IX still acknowledged the existence of a

70. On this, see Mas Latrie I (1851), 209-12, wondering (210), since the Greeks did not receive political equality from the secular power, how the clergy could receive equal spiritual rights. Hackett (1901), 84-5; Hill III (1948), 1046-7: "The Stranglehold on the Greeks was tightened" (1046); Magoulías (1964), 78-9; Furber (1969), 625: "To tighten the hold of the Latins on the Greek Church"; Gill (1977), 77, suggesting rather that it was a "compromise solution"; Kirmitses (1983), 16-17; Richard (1989), 46, referring to 1220; Kyrris (1990-91), 330-4, contrary to whom, since the second agreement did not remove the Greek hierarchy completely, the state's efforts were not entirely "in vain," I think; Kyrris (1992), 170-1; Papadopoulos (1995), 562-3; Richard (1996), 21-2; Kyrris (1996), 214; Coureas (1997), 259-74; Coureas (1998), 78; Ioannides (2000), 337-8.

71. Cf. e.g. Hackett (1901), 85: "Certain obscure villages." Likewise, Papadopoulos (1995), 563, assumes that Greek bishops of the four sees moved to the villages, but I do not know whether the Greek bishops of Nicosia, Paphos, Limassol, and Famagusta had to "relocate," as Magoulías (1964), 79, claims they did. Kyrris (1996), 214, calls the reduction the result of "arbitrary decisions taken by the Latin hierarchy of Cyprus."

Greek archbishop in 1240 (X.13), although Innocent IV implied that the second agreement abolished the office (X.22). In any case, the reduction of the number of Greek bishops was probably gradual.⁷²

One vague point in both the 1220 and 1222 agreements is the question of ecclesiastical property. In the first pact (X.6.10), the Latin clergy agreed not to say anything further about the property that the Greek Church had during Byzantine rule. It is clear that the property in question is what the Frankish crown had confiscated from the Greek Church, but it is not clear to what extent the Latin Church would want this property transferred to it or returned to the Greeks. Then in March 1222 (X.10), Honorius asks for the “return” of some of this property to the Latin Church. Honorius explains that this would not be a transfer, because the Latin hierarchy had replaced the Greek hierarchy and had inherited its rights.⁷³ In the second agreement (X.11.10a), the crown retains its rights to the confiscated property, except for the land (and tithes) that had been and would be given to the Latin Church. It is important to note, however, that in both agreements (X.6.8 and 11.8) the Greek Church was assured its ownership of property given to it by the Latin lords after the Frankish conquest. This may not mean that the Latins gave them additional possessions, but rather simply confirmed some of what they had before the conquest, although new grants are possible. Moreover, the fact that this item is part of an agreement between the Frankish nobility and the Latin clergy implies that the Latin Church was securing the Greeks’ rights from the Franks, so even on the question of property the Greeks were not without representation.⁷⁴

Between 1222 and 1240 the official documentation for the Latin Church of Cyprus is almost completely silent on the question of relations with the Greeks, a fact that can be interpreted in several ways, although Greek sources speak of a crisis about how to react. The one exception is Pope Gregory IX’s letter of 1231 referring to the monks of the monastery of Our Lady of Kantara (Kantariotissa), who were executed later that year (X.12). The execution or martyrdom of the

72. See e.g. Kyrris (1990-91), 334-5; Coureas (1997), 271.

73. Some historians, not understanding the limitations of papal power, have not seen that this demand was not successful, as the 1222 agreement shows. Cf. e.g. J.M. Hussey, *The Orthodox Church in the Byzantine Empire* (Oxford 1986), 201-2: “The Latin hierarchy had in any case taken over the Greek Church property.” Hussey’s summary of the “unhappy situation” on Cyprus (201-6) is from a Greek perspective. See on Honorius’s efforts Magoulias (1964), 78; Gill (1977), 75, 77; Efthimiou (1987), 41; Richard (1989), 57; Kyrris (1990-91), 328; Richard (1996), 21-2; Papadopoulos (1995), 561, n. 46; Coureas (1997), 265.

74. Coureas (1997), 266, sees the opposite: the Latin lords protected the Orthodox property against the Latin Church. In any case, Hackett’s (1901), 86, statement that the Greek Church “was now completely stripped of all the property, which it had ever possessed” must be rejected. Hill III (1948), 1047, follows much later sources, and adds his own confusion, when he says that the Latin Church would receive the property of the remaining four Greek sees after the existing bishops’ deaths. In fact this property, safeguarded by the 1222 accord, remained in Greek hands for the duration of the period covered in this book. Kyrris (1990-91), 334, however, follows Hill.

thirteen monks of Kantara is probably the most celebrated episode in the ecclesiastical history of Cyprus in the Frankish period. It is also open to radically different interpretations. The historians that are the least sympathetic to or understanding of the Latin Church tend to see the event as indicative of the Latin attitude toward the Greeks in general, whereas others emphasize the exceptional character of the monks' death. The former more or less accurately present the perspective of some, perhaps most, of the Greek clerics of the time, but often fail to explain the context or the motivation of the Latins. The latter historians apologize for the Latins by pointing out the chaotic nature of the time: it was a period of civil war and the king was a child. One might add that the new pope, Gregory IX (1227-41), was a particularly zealous opponent of heresy, and that the execution occurred while the Albigensian Crusade was in its final phases and the Holy Inquisition in its infancy. Other sources hint that the Latin instigator, Andreas, was a Dominican, and therefore a member of the new and rather combative order that formed the Inquisition's backbone.⁷⁵

Gregory's letter, addressed to Archbishop Eustorge, is remarkable for several things.⁷⁶ The most striking thing about the letter is that the situation with the monks takes second place in sequence and in space to the issue of a "clandestine" marriage. Twice as much space is devoted to the marriage (X.12.2) than to the monks. We learn that Gregory is replying to a letter of Eustorge in which the archbishop merely "added" something about the monks, that is, the monks were not Eustorge's primary concern either (X.12.3). According to Gregory, Eustorge had imprisoned the monks for attacking various practices of the Latins, but especially the Latin use of unleavened bread. The monks refused to change their views without instructions from the Patriarch of Constantinople. Gregory ordered Eustorge to treat the monks as heretics, and to take recourse to the secular authorities if necessary (X.12.4). The fact that the monks were executed suggests that the lay leaders were convinced that the monks constituted a threat to their rule, for without the crown and nobles' participation no such action would or

75. On this period, the episode with the monks, and the reliability of the Greek sources, see Hackett (1901), 89-95; Hill III (1948), 1047-50; Costas Hadjipsaltes, "Σχέσεις της Κύπρου προς το εν Νικαία Βυζαντινόν κράτος," *Κυπριακαί Σπουδαί* 15 (1951), 63-82, although I have not consulted it; Magoulas (1964), 79-84; Furber (1969), 626-7, borrowing heavily from earlier writers; Papadopoulos (1975); Gill (1977), 78-81; Kirmitses (1983), 77-9; Paris Gounarides, "Η 'Διήγησις' του μαρτυρίου των μοναχών της Καντάρας και η εκκλησία της Κύπρου," in *Πρακτικά του Δεύτερου Διεθνούς Κυπριολογικού Συνεδρίου Β': Μεσαιωνικόν Τμήμα* (1986), 313-32; Efthimiou (1987), 42-5; Angold (1989), 72-4; Kyrris (1990-91), 329; Kyrris (1992), 172-4; Papadopoulos (1995), 565-82; Kyrris (1996), 214; Coureas (1997), 268-70, 272-3, 281-6; Ioannides (2000), 338-9.

76. Oddly, although it is the main contemporary Latin document for the incident, the letter has been mostly ignored. There is no comment in Mas Latrie I (1851), Hackett (1901), or Gounarides (1986), while Hill III (1948), 1049, n. 2, has a one-sentence footnote and Magoulas (1964), 82, gives it a mere mention, as does Coureas (1997), 282. It is given more significance in Papadopoulos (1995), 576.

could have been taken.⁷⁷ But the execution also suggests that the Greek Patriarch (Germanos) continued to encourage the monks' rebellion. Whatever the case, it appears not to have been an issue of major importance for Gregory.

It had great significance for many of the Greeks (there are several sources in Greek), however, and after generic recommendations to Latin clerics in the East in 1238 and 1239, in 1240 Gregory again wrote to Eustorge concerning, especially, the issue of unleavened bread (X.13).⁷⁸ Gregory had ordered Eustorge to require from the Greeks an oath of obedience and a renunciation of heresy, the main heresy being their accusation that the Latins were heretics for using unleavened bread. It is clear that the Latins did not have a problem with the Greek use of leavened bread, but rather that it was the Greeks' accusation that the Latin practice was heretical that the pope found intolerable and even dangerous. The accusation that the Latins were heretics was probably what convinced the secular arm to cooperate in the monks' execution in the first place. Now, in 1240, after having asked for time to consider the situation, many of the Greek secular and regular clergy chose exile in Armenia rather than submit and accept the validity of unleavened bread. A number of Greeks apparently obeyed the Eustorge's command, and the Greek archbishop, Neophytos, threatened these collaborators with excommunication. Gregory ordered Eustorge to expel the rest of the disobedient Greeks and replace them with Latins, rather than give in to the Greek archbishop's demands.⁷⁹

It is generally recognized that the climate changed immediately under Gregory's successor Innocent IV (1243-54). Indicative of this change are two letters of 1243 and 1245, in which Innocent takes the Greek Orthodox monastery of St Margaret of Agros, and its grange or *metocheio* of St Mary of Stilo on Cape Gata, under his personal protection against the incursions of laymen who coveted the monastery's property. Moreover, Innocent affirms that Greek monasteries did not have to pay tithes on property obtained before the Fourth Lateran Council (1215), since the Greeks did not do so traditionally. Interestingly, the first letter is addressed directly to the Greek abbot and monks of St Margaret (X.14), while we learn from the second letter that the abbot and monks had in fact initiated the correspondence from Innocent with an "extensive petition" (X.15).⁸⁰

77. Runciman (1947), 3, considers religious persecution to require the State: "Persecution involves the co-operation of the State... It is the State, not the Church, that persecutes, and the State that should be blamed for the cruelties of persecution... the fiercest and most bloodthirsty persecutions have taken place when the heretics have seemed more seriously dangerous, when their teachings have run counter to the welfare of society, when, were they tolerated, the State itself might collapse."

78. For Gregory's general directives concerning the Greeks, see Coureas (1997), 286-7. On the 1240 letter, Mas Latrie (1884), 224; Hackett (1901), 100; Hill III (1948), 1053; Magoulas (1964), 85; Gill (1977), 81; Kirmitses (1983), 19; Efthimiou (1987), 45; Papadopoulos (1995), 583-4; Coureas (1997), 286; Ioannides (2000), 339.

79. Mas Latrie (1884), 224; Hackett (1901), 100; Hill III (1948), 1053; Magoulas (1964), 85; Furber (1969), 627; Gill (1977), 81; Kirmitses (1983), 19; Efthimiou (1987), 45; Papadopoulos (1995), 583-4; Coureas (1997), 286; Ioannides (2000), 339.

80. Hill III (1948), 1054; Gill (1977), 82; Kyrris (1992), 175; Coureas (1997), 288-9.

The implication is that already by 1245 many Greeks regarded the papacy, or at least Innocent IV, as a protector and a court of appeals, an indication of the first stages of the creation of Greek rite Catholics on Cyprus.

It would be wrong, however, to say that Innocent IV pursued different goals from those of his predecessors. A letter to Archbishop Eustorge of 1246 demonstrates that Innocent IV was just as concerned with obtaining the obedience of the Greeks and combating heresy, especially among the regular clergy (X.16).⁸¹ Rather, as a letter of 1247 to the Franciscan papal legate Lawrence of Portugal makes clear, Innocent wanted full obedience to the local Latin hierarchy, but at the same time he wanted to protect the Greeks from abuse (X.17).⁸² One should recall that certain protection is also accorded the Greeks in the 1220 and 1222 agreements, so even here we are not necessarily dealing with a change of attitude. Innocent's general wording in a later letter of 1250 is close to that of Celestine, speaking of Greeks breaking away from the "damned schism of oriental separation and coming back to the undivided unity of Catholic integrity" (X.18.1; X.1.2). The fact that the Greek Archbishop Neophytos returned from exile in the 1240s may be due to the passage of time or to the legate Lawrence's independent efforts, as the letter implies (X.18.2), rather than to Innocent IV's new "policy."⁸³

The long stay of the papal legate Eudes of Châteauroux in the East, from 1248 to 1254, corresponds with the greatest density of material in the present volume. Eudes, cardinal-bishop of Tusculum, was one of the leading theologians at the University of Paris, who left behind an extensive collection of sermons and other works. He would be more famous as a theologian, were it not for his misfortune of having been active in the period immediately preceding that of Thomas Aquinas and Bonaventure.⁸⁴ Eudes accompanied King Louis IX of France's crusade, which arrived in Cyprus in September of 1248. His first series of regulations in the *Synodicum Nicosiense* (text E) dates to March 1249 rather than 1248 (see above).⁸⁵ Eudes performed a visitation of the Nicosia Church, and his report touches upon most aspects of the morals and administration of the church. We find that the aging Archbishop Eustorge had not succeeded in establishing a regular tradition of provincial and episcopal councils on Cyprus (E.I), although there is mention of at least one provincial council's decisions (E.XIII). Education had also lagged behind (E.II, IV). There were problems with

81. Hill III (1948), 1054, n. 2; Gill (1977), 82, stating, "That was Innocent, the canon-lawyer, in action"; Kyrris (1992), 175.

82. On this or a similar letter, see Hackett (1901), 101; Hill III (1948), 1054; Magoulas (1964), 85-6; Gill (1977), 82-3; Kirmitses (1983), 20; Efthimiou (1987), 45; Kyrris (1992), 175; Papadopoulos (1995), 585-6; Coureas (1997), 289; Ioannides (2000), 339.

83. Cf. Gill (1977), 83. On Lawrence (not of Orte), see Girolamo Golubovich, *Biblioteca bibliografica della terra santa dell'oriente francescano* II (Florence 1913), 350-5.

84. On Eudes, see recently Fortunato Iozzelli, *Odo da Châteauroux. Politica e religione nei sermoni inediti* (Padua 1994).

85. Mas Latrie (1884), 227-8; Hill III (1948), 1067; Kedar (1985); Schabel (1998), 38-9.

bookkeeping and the payment of clerics' salaries (E.V, VI, VII, XVI), and the organization of the cathedral chapter and administration (E.IX, X, XIII, XIV). Even the church services were in need of reform (E.XII). In general the regulations provide much useful information about the everyday affairs, problems, and material needs of a cathedral church, although it would be dangerous to draw many specific conclusions without a comparative study of other churches of the time.

Two items are of particular interest at present. First, there were few parishes churches of the Latins, at least in the diocese of Nicosia, and Eudes thought it necessary to order Eustorge to establish a new parish church on one of his *casalia* (perhaps at "Fandia," i.e. Aphanía) (E.V). According to Eudes, there was a need for such rural parishes, which suggests a rural Latin population. Benjamin Kedar, however, thinks that Eudes may not have been aware of the local situation yet, and this is borne out by the fact that Eudes admits he has his information not directly, but from "trustworthy people."⁸⁶ Second, Eudes wanted the Latins to celebrate services for eleven saints who died on Cyprus, but he states that three Cypriot saints already have feasts established in the Nicosia Church, probably the first three on his list: Barnabas, Epiphánios, and Hilarion (E.XXI). That this is the only hint that Eudes was considering the Greek tradition and population of the island reminds us that the Latin ecclesiastical community did not define themselves merely in contradistinction to the Greeks, but rather as an independent local entity.

Nevertheless Eudes was to become heavily involved in the affairs of the Greeks. In Innocent IV's letter of 1250, we find that after the Greek archbishop returned from exile, he and the other Greek bishops voluntarily offered obedience to the Roman Church to Eudes (X.18.2). It was only after this official submission – which must have entailed a renunciation of heresy as well – that Innocent would hear their petition outlining their requests. This is apparently the first time any general submission of this sort was offered by the Greek hierarchy, and Innocent's predecessors might have responded in the same way Innocent had. The Greeks basically asked (X.18.3) that the agreements of 1220 and 1222 be revoked, and that the Greek hierarchy be independent of the local Latin clergy and subject directly to the pope instead (or to the pope's legate), who would be the immediate and final court of appeals. Outside of some tithe restructuring, they did not ask for the return of property, but in all other respects it would be a return to the situation before 1191, except that the pope would be in charge.⁸⁷

What the Greeks were asking was to be Greek rite Catholics, but with a different arrangement from that envisioned by the earlier pacts. Innocent's

86. Cf. Kedar (1985), 228.

87. See Hackett (1901), 102-3; Hill III (1948), 1054; Magoulias (1964), 86; Gill (1977), 83-4; Kirmitses (1983), 21-2; Efthimious (1987), 46; Angold (1989), 74; Kyrris (1990-91), 334-5, who hints that Innocent wrote of fourteen existing bishops; Kyrris (1992), 174; Papadopoulos (1995), 587-9, explaining that the "Cypriot" prelates offered submission out of necessity because of the conquest; Richard (1996), 23; Coureas (1997), 290-1; Ioannides (2000), 339-40.

response was guarded: he asked Eudes to investigate, to seek the advice “of prelates and other prudent men,” and to arrange things as he saw fit (X.18.4). There is no indication that Archbishop Eustorge had played any role in these negotiations, and indeed he died in April 1250.⁸⁸ The Greeks may have seen a “window of opportunity” in between Eustorge’s death and the election of the next archbishop. In the meantime the Greek hierarchy, like the abbot and monks of St Margaret of Agros, viewed the pope as superior. Upon the death of Archbishop Neophytos, the Greek bishops, because of “certain obstacles” (perhaps Eustorge’s opposition), were not able to elect a new archbishop within the required time, but they requested and received from Innocent permission to proceed with a late election, as attested by Innocent’s letters to the bishops and to Eudes of December 1251 (X.19.2).⁸⁹

On 9 April 1251, Palm Sunday, and in the following year, the list of those who were excommunicates was read to the people, in the Great Cemetery of the Nicosia Church. This was done when Hugh of Fagianio (1251-67) was not yet consecrated as archbishop of Nicosia. The record of the proceedings in the *Synodicum Nicosiense* (text C) has been used as evidence that Hugh took a hardened stance against the Greeks, and impeded Innocent IV’s efforts toward toleration and reconciliation. Hugh has even been called a “bigot” for this reason. However, it is not clear that Hugh is the author of the text in question. True, there is mention of “our diocese” (C.17), but the beginning suggests that Eudes is the initial author, since he proceeds “by the authority of the Lord Pope,” something that a papal legate would say rather than a locally-elected archbishop. Perhaps the text as we have it is a mix (the date is wrong; cf. p. 157), first read by Eudes in 1251, when Hugh was archbishop-elect, and then by Archbishop Hugh “the following year.”

More importantly, the requirements of the Greeks (and of everyone else) do not exceed Innocent’s own and are in fact just routine, annual Palm Sunday pronouncements rather than special decrees, as Archbishop Gerard stated explicitly later (G.IV.c). Thus it is among typical admonitions against gambling, prostitution, sorcery, usury, and piracy, that we find that the Roman Church’s teaching on the sacraments must be followed (C.3); all Greek priests and deacons must show obedience to Rome (C.9); and Greeks who have been confirmed and married in the Roman Church, and their children, must attend Mass in Ayia Sophia regularly, confess to a Latin priest at least once a year, and follow the Latin rite in the sacraments (C.6).⁹⁰ This last measure is hardly severe, considering that it applies only to Greeks of the Latin rite, and indeed it suggests that a number of such Latin-rite Greeks already existed in 1251.⁹¹

88. Contrary to Coureas (1997), 291, it is not stated that Eudes was to consult with the “Latin clergy of Cyprus.”

89. Ioannides (2000), 340.

90. Paragraph also translated in Roberts (2000), 229.

91. Mas Latrie I (1851), 356; Hackett (1901), 104, calling it “aggressive”; Hill III (1948), 1055, stating that Hugh is the author and he was “ignoring the injunction of Innocent IV to leave the Greeks in

The first document in the *Synodicum Nicosiense* (text A) gives the impression that Archbishop Hugh of Fagiano was a zealous reformer rather than a jealous bigot. In contrast even to Eudes's regulations, which Hugh reiterates and even reinforces (A.XXI), Hugh's are overwhelmingly concerned with the morals of the clergy and laity. The majority of his regulations (perhaps the first 26) probably date to late 1252, that is, to the beginning of his reign as archbishop. Nothing in these regulations indicates a desire to persecute the Greeks, or even to increase his personal power. One may consider him conservative, but not vindictive. He does repeat the admonition to follow the Roman Church's teaching on the sacraments, but this is hardly remarkable (A.XV). One regulation mentions the need for priests to show the required obedience to the archbishop, but the Greeks are not mentioned explicitly (A.XXII). The regulation against flute players or "singing women" wailing during funerals is rather harsh in its proposed punishments, and it is probably directed at a local custom, but Hugh was most bothered by the pagan or Jewish element he saw in the ritual (A.XX). The one mention of Greeks is a mere admonishment that they and others show reverence to the body of Christ in the sacrament of the Eucharist by bowing and uncovering their heads (A.XIX.3). Curiously, in the early fourteenth century the Franciscan papal legate Peter of Pleine Chassaigne was to attack the Greeks' overzealous reverence of the host before its consecration (X.37.2; see below). Overall, however, Hugh's first regulations are an interesting window into the concerns of an energetic reformer, and provide much information about the prevalent abuses of the Latin clergy in particular.

With Hugh's regulations we are probably on much more solid ground than with Eudes's about the internal state of the Latin Church of Cyprus, although, again, a comparative study is required. Hugh's later regulations continue in the same way, expressing concern for the spiritual righteousness and morality of the population and clergy, concern that appears to have been lacking in Eustorge's reign.⁹² They date from 1253 to 1257, although they are not in chronological order. Hugh includes a regulation of Eudes done at Jaffa (A.XXVII.2), and Hugh is also no doubt responsible for the inclusion of Eudes's regulation against Simoniacs given at the provincial council in Acre in August 1254, a copy of which Eudes sent to Hugh to publicize (text F).

peace"; Magoulas (1964), 87; Furber (1969), 627: "with fanatical zeal, [Hugh] chose to ignore the pope's injunctions to leave the Greeks in peace"; Gill (1977), 84-5, rightly noting that the "list of punishable crimes sounds more hostile to the Greeks than it actually is"; Kirmitses (1983), 22-3, following Hill; Efthimiou (1987), 46-7, saying it was "against the conciliatory policy of Innocent IV"; Kyrris (1992), 175, following Hill; Papadopoulos (1995), 589-90, claiming Hugh was inspired by "extreme fanaticism"; Richard (1996), 23; Coureas (1997), 291-2; Coureas (2000), *passim*; Ioannides (2000), 340.

92. Mas Latrie I (1851), 371; Mas Latrie (1884), 234-6; Hill III (1948), 1057-8, making a brief mention; Coureas (2000), *passim*.

So aside from unspecified problems that Hugh and the other Latin bishops had with the Greek bishops (see just below), there is little that lends support to Hugh's characterization as bigot. Perhaps Hugh's election did shake things up, however. It seems that dean and chapter of Nicosia Cathedral quickly asked Innocent to confirm Eudes's earlier regulations (text E) that protected their rights, and Innocent obliged in early 1252 (X.20).⁹³ Innocent wrote to Eudes in February 1254, informing us that Eudes had told him of strife between Hugh and the Latin bishops, on the one hand, and the Greek bishops on the other (X.21).⁹⁴ Innocent stated that he would reply presently about some of the issues, and that others would take more deliberation. No doubt the first answer concerned the election of a new Greek archbishop, which alone would have given Hugh good reason to be upset with the Greek bishops. Innocent wrote to Eudes in the same month, February 1254, that he had agreed to the Greek bishops' petition that he modify his former annulment of the election of George as archbishop of the Greeks of Cyprus (X.22).⁹⁵ Since George was only in minor orders, and the election was against the statutes of the Fourth Lateran Council, Innocent at first judged the election uncanonical. He now allowed them to promote George to holy orders first and then to elect him archbishop (as Germanos). Innocent also suggested that the mere election of a Greek archbishop might be against the agreement of 1222, which Honorius III had confirmed, so Innocent made an exception. Hugh's problem with the Greeks could have surrounded the first election, their appeal to Innocent, or Innocent's final decision.

Hugh may have suspected that Innocent planned to allow the Greek hierarchy some sort of autonomous status alongside the Latin high clergy, but if this had actually been done, we would surely have the letter in the papal registers recording this information.⁹⁶ Certainly Innocent did not give in to the Greek demands for a return to the *status quo ante*. Instead, the other issues for which Innocent needed more time to reply, contained in one of the most significant documents in the history of the ecclesiastical relationship between Greeks and Latins generally, concern the rites of the Greeks of Cyprus (X.23).⁹⁷ In Innocent IV's letter to Eudes

93. Hill III (1948), 1065.

94. Gill (1977), 87, suggesting that Innocent may have been planning to make the Greek Church independent.

95. Hill III (1948), 1055-6, doubting that George is also Germanos (1056, n. 1), although the *Bulla Cypria* suggests that he is; Magoulas (1964), 87; Furber (1969), 627; Gill (1977), 85; Kirmitses (1983), 23-4; Efthimiou (1987), 47; Kyrris (1990-91), 336; Kyrris (1992), 176; Coureas (1997), 292-3.

96. Gill (1977), 87-8, actually thinks that this was done, and Coureas (1997), 293, agrees, although there is no evidence. Others claim that it would have been impossible.

97. Long summary in Hackett (1901), 105-12; cf. Hill (1948), 1057, with a mere mention; Magoulas (1964), 88-9, considering (p. 90) Innocent's decrees "the Latinization of the Greek Church, ritualistically as well as doctrinally"; Gill (1977), 86-7, on the other hand, claiming "Innocent was making no innovations," and his decrees "had a tone of sympathy with the Greeks"; Kirmitses (1983), 31-6, discussing it with Ranulph's decrees, following Hackett; Efthimiou (1987), 129-30, n. 91;

of Châteauroux of 6 March 1254 the pope's opening rhetoric is entirely in line with Celestine III's call for the reunification of the Greeks of Cyprus with the Mother Church (X.23.2). True, Innocent is anxious to tolerate what can be tolerated (X.23.3), but this was the general attitude of the papacy. The important point is that there were many Greek practices that Innocent was *not* willing to tolerate. It is also significant that Innocent's instructions for the Greeks of Cyprus are in response to the problems Hugh and his suffragans had with the Greeks, which indicates that Hugh's complaints were of a doctrinal and spiritual nature, closely connected with his reform efforts and not purely with his own power (X.23.4).

Innocent's instructions can be interpreted in various ways, depending on whether one wants to stress what he tolerated or what he refused to tolerate. The first item concerning Baptism sets the tone: Innocent tolerates what does not affect the efficacy of the sacrament, even if he does not really like it, as in the case of anointing the whole body of the child (X.23.5). In some cases Innocent wanted significant changes: Greek bishops were to confer on clerics seven orders and not just four (X.23.21); widows were to be allowed to remarry as often as they were widowed (X.23.22); Greeks were to adopt the term "purgatory" for the place of purgation that precedes the Kingdom of Heaven, for Innocent believed that they already believed in the principle of purgation (X.23.23).

Innocent's commands are interesting in their details, but two general things should be noted: first, there is no reason to think that Innocent is being more tolerant than his predecessors or successors, but it may simply be the case that Innocent was forced by circumstances to spell out precisely what was acceptable and what was unacceptable to Rome. Second, although Innocent forbids Hugh from bothering the Greeks in a way contrary to his commands (X.23.25), this does not mean that Innocent forbade Hugh from enforcing the pope's commands when the Greeks themselves acted contrary to them, or from exercising his normal episcopal jurisdiction. Innocent does not grant autonomy to the local Greek hierarchy as they requested. Further, Innocent never granted the Greeks' wish to have their fourteen bishoprics restored, for six years later we learn that there are only four Greek bishops left (not including the position of archbishop), as required by the agreement of 1222 (X.25.10). De facto Innocent had not granted any of the Greeks' requests.

We do not know how far Innocent was willing to go, or, if he was willing to go no further, whether the Greeks would have been satisfied with Innocent's active protection of Greeks against abuses and his toleration of certain Greek

Angold (1989), 74; Kyrris (1990-91), 336; Coureas (1997), 293-6, seeing a strengthening of Rome's hand; William Duba, "The Afterlife in Medieval Frankish Cyprus," *EKEE* 26 (2000), 171-2, on purgatory, with translation. Papadopoulos (1995), 591-2, esp. n. 139, relies on Raynaldus's partial text and not on complete editions. Thus he does not realize that the text applies *explicitly* to Cyprus, and so he avoids a long discussion.

rites. Innocent died later in 1254 and was succeeded by Alexander IV (1254-61).⁹⁸ Early in his reign Alexander explicitly ordered the Greeks to obey the archbishop of Nicosia, but he also ordered the Latin suffragans to do so, and he even addressed the Greek bishops as “suffragans” of the Nicosia Church (X.24).⁹⁹ Historians have maintained that Innocent’s “tolerant” and “enlightened” policies toward the Greeks were reversed by Alexander, but if there are major differences between their actual policies, these differences may be due more to circumstances than anything else. When Innocent began his papacy the Greek clergy was ready to return from a long exile, after the death of the pope that had sanctioned the execution of some of their members. When Alexander began his reign, the Greeks had shown obedience to Rome and a willingness to compromise. Innocent’s success in winning over the Greeks may be due more to the Greeks’ change in attitude than to Innocent’s change in policy.

Theoretically the fate of the Greek Church of Cyprus had been decided in the Famagusta agreement of 1222, but the Greeks were not able to participate in the negotiations. Although some of the 1222 measures took effect, the Greeks had not accepted them, and the episode with the monks of Kantara demonstrates that in some cases they actively refused to offer spiritual obedience to the Latins. After a period of chaos and exile, upon return the Greek bishops in 1250 in effect asked Innocent IV for a new “charter” defining their position, hoping that Innocent would allow a return to their legal status before 1191. Innocent told his legate Eudes to investigate, but according to our records the Greeks were still waiting for an answer when Innocent died in 1254. Innocent did provide a spiritual “charter” for the Greeks in 1254, and a specific statement that the Greeks were not to be molested in a way contrary to this charter. He also allowed the election of a new Greek archbishop, and actively protected the Greeks, but we have no evidence that the pope made any general declaration about the legal status of the Greek hierarchy.¹⁰⁰ At Innocent’s death Alexander IV reaffirmed the Latin archbishop of Nicosia’s ecclesiastical leadership, and so the Greeks decided to go to Rome for a final “charter.”

This final charter is now called the *Bulla Cypria*, or Cypriot Bull, published by Alexander on 3 July 1260 (X.25). Alexander’s bull gives in detail the Greek Archbishop Germanos’s explanation for the Greek bishops’ appeal to Rome.¹⁰¹

98. Gill (1977), 87-8, expresses, like many others, the opinion that the death of this “ecumenical and open-minded” pope, “far in advance of his contemporaries,” was unfortunate, and that Alexander was neither as strong nor as broad-minded.

99. Coureas (1997), 297; Ioannides (2000), 340.

100. Some historians, as Coureas (1997), 293, assume that he did, but, again, one would think the outgoing letter would have survived in that case.

101. Discussion in Mas Latrie I (1851), 381; Mas Latrie (1884), 236-7; Hackett (1901), 113-4; Hill III (1948), 1058-9; Magoulas (1964), 90-1; Gill (1977), 87-8; Kirmitses (1983), 25-6; Efthimiou (1987), 130-1, n. 94; Kyrris (1990-91), 336-7, calling the situation of a Latin hierarchy battling a Greek hierarchy faithful to Rome “byzarré”; Papadopoulos (1995), 592-4, listing most Greek and Latin editions on

After Innocent IV had allowed the election of another Greek archbishop (1251), and eventually on the pope's orders Eudes confirmed Germanos's election (1254), Germanos and the other Greek bishops again offered a "solemn promise of obedience" to the Roman Church, but "afterwards" the Greek bishops also offered obedience to Germanos "as their metropolitan" (X.25.2). This would imply that Germanos not only had the title of archbishop, but the real authority of archbishop. It is not stated anywhere that Innocent or Eudes accepted this authority, and Alexander's bull is merely giving Germanos's version of events anyway. Germanos maintains that he was acting as a real archbishop of the Greeks, with authority over the Greek clergy and populace of the island and subject only to the pope, in the way that the Greek bishops had requested of Innocent IV in 1250 (X.25.3). As far as we know Innocent never conceded this power to the Greek archbishop, however, and indeed, when Innocent died later in 1254, the new pope, Alexander, quickly confirmed the ecclesiastical hegemony of the Latin archbishop of Nicosia. Thus by the beginning of 1255 the local Greek and Latin hierarchies had differing views of the status of the Greek archbishop.

With Germanos claiming that Hugh had no jurisdiction over the Greeks, but with Hugh maintaining that Pope Alexander had confirmed exactly this power, Hugh summoned Germanos to his presence. Germanos refused, placed the entire Greek Church and populace under papal protection, and departed for Rome. Hugh expelled Germanos's vicars in his absence, tried to drive people away from obedience to him, and absolved those excommunicated by him, all of which resulted in financial trouble for the Greek archbishop, according to Germanos (X.25.3; one wonders whether those excommunicated had opposed Germanos's policy). It is implied that Germanos wanted confirmation of the requests the Greek bishops had earlier made to Innocent IV concerning jurisdiction and tithes (X.25.4).

Alexander named Eudes of Châteauroux, back from the East, as auditor in the case, and when Hugh's representatives in Rome protested that they were there on other business and would not respond to Germanos's charges, Eudes forced them to do so (X.25.4). Hugh's representatives then answered that Germanos was not even the legal archbishop, not only because the Greek bishops had no legal right to elect him (this would not have sufficed, since Innocent had given them special leave), but also because they were excommunicated at the time of the election and at the time they obtained Innocent's permission for the election. Apparently Hugh had even appealed to the pope against the election (X.25.5). But Hugh's men went further, and outlined the whole history of the Latin Church of Cyprus. They claimed that Pope Celestine III, because of the "disobedience and treachery" of the Greeks of Cyprus, gave the island to the Latins, established four Latin sees, and expelled the Greeks from them (X.25.6). Although we have no evidence of this expulsion from Celestine, this had been Honorius III's

p. 594, n. 145; Richard (1996), 20; Coureas (1997), 297-8; Ioannides (2000), 340-1. For the literature and editions of the Greek text, and a critical edition, see Ioannides (2000), 343-72.

interpretation of Celestine's actions (X.7.1; 8.3). Hugh's agents reminded Alexander of the 1222 agreement and the fact that the pope had confirmed it. They also mentioned that the Greeks themselves had "bound themselves with the chains of obedience" to the Latin archbishop as their superior, although as far as we know only the papal legates had received such submission from the majority of the Greek prelates. In sum, Hugh's men claimed that only Hugh was true archbishop (X.25.6), and Germanos had no archiepiscopal rights (X.25.7).

Both sides appear to have exaggerated their claims. The trial dragged on, and Germanos asked the pope to establish a permanent arrangement, because the expense of the proceedings was harming the Greek Church (X.25.8). For Alexander, the two communities could not live together peacefully without a clear document delineating the "hierarchy of powers" for each group, and the lack of such a document was the cause of the continuing strife (X.25.9). So Alexander deliberated with his advisors, and in the presence of all of the Greek prelates¹⁰² – Germanos and bishops Nilos of Solea, Joachim of Karpasia, and Matthew of Lefkara, Arsinoe being vacant – and Hugh's representatives, he published the *Bulla Cypria* (X.25.10).

The terms of the *Bulla Cypria* have been discussed many times.¹⁰³ As in the case of the other important documents, one's interpretation depends on one's point of departure. If one compares the rights of the Greek Church in 1260 with the requests of the Greek bishops of 1250 or the status of the Greek Church before 1191, clearly the terms are harsh. But if one looks at the 1222 agreement and the model situation of the Kingdom of Jerusalem, the 1260 arrangement offers the Greek hierarchy quite a bit of autonomy and real jurisdiction. As in the 1222

102. Papadopoulos (1995), 601, considers it "given" that the Greeks did not participate, giving as evidence the fact that the text "was signed only by representatives of the Latin Church," disregarding the fact that no local Latin signed it either and that according to the pope there was only one Church anyway, led by the pope and cardinals who signed. Ioannides (2000), 341, agrees with Papadopoulos, saying that "il dominante impose al dominato le sue decisioni." Richard (1996), 28 and 31, on the other hand, sees it as the result of negotiation, not an act of authority. Coureas (1997), 298, agrees with Richard, but points out that the situation was only an improvement in comparison with the post 1220 period, not Innocent IV's "aspirations."

103. Hackett (1901), 114-23, considers it in very negative terms; Hill III (1948), 1059-62, less so; Magoulas (1964), 91-2, follows Hackett, sometimes verbatim: "The Greek Church was now worse off than ever; the provisions of the *Bulla Cypria* meant the abject and total submission of the Cypriots (sic) to the Latins. The concessions of Innocent IV were undone and the oppressive measures of Celestine III and Cardinal Pelagius were re-imposed in a more objectionable form" (italics are verbatim Hackett); Furber (1969), 628, leans toward Hill; Gill (1977), 89-90: "Death knell" of Innocent's policies" (p. 90); Kirmitses (1983), 26-31, seeing it as a Greek disappointment; Efthimiou (1987), 47-8, and misinterpreting Hill (p. 131, n. 95); Angold (1989), 74-5; Kyrris (1990-91), 337-42, choosing to use the Greek text; Kyrris (1992), 176-7; Papadopoulos (1995), 594-602, rightly seeing some consistency of papal policy (p. 595), but viewing it as a complete submission (p. 601) against Innocent's policy; Richard (1996), 24-8, with whom I agree; Kyrris (1996), 215; Coureas (1997), 298-302: "a victory for the Latin Church" (p. 300); Ioannides (2000), 341-2.

agreement, there were to remain four bishoprics (X.25.11), but although each bishop was to be subordinate to his Latin counterpart and then to the Latin archbishop, the Greek bishop was to have true jurisdiction over the Greek clergy and populace (X.25.12, 17-19). The Greeks would take oaths of obedience to the Latin bishop, the pope, and the Roman Church (X.25.13-14), but the power of the Latin prelates was limited to confirmation "without difficulty" of episcopal elections, and the removal of Greek bishops was reserved to the pope (X.25.15). Only in certain circumstances would a Latin bishop be able to appoint a Greek bishop, and only in cases involving Latins would the Latin prelate have direct jurisdiction (X.25.18, 20). This spirit of compromise extended to Greeks' attendance at Latin church synods (X.25.21) and visitations (X.25.22), although the Latin Church retained the tithes (X.25.23).

The most evident compromise, and the most controversial later, takes up a large portion of the document: what was to become of Germanos? Since Alexander's arrangement called for the following juridical hierarchy: Greek bishop – Latin bishop – Latin archbishop – pope, there was no place for a Greek archbishop. But Alexander made an exception for Archbishop Germanos, who was to retain his title during his lifetime (X.25.24). We learn that at the time Germanos had no fixed see. Since the see of Arsinoe was vacant, Bishop Nilos of Solea was transferred there, and Germanos was given Solea.¹⁰⁴ In effect this was a reduction of the number of Greek prelates from five to four, another element of the compromise. Significantly, Germanos was given the Church of St Barnabas in Nicosia as his residence in the capital whenever he wished (X.25.25).

Germanos's power was considerable. In fact, with the exception of the confirmation of new Greek bishops by the Latins, in addition to Germanos' normal jurisdiction over the Greeks of the Nicosia diocese accorded by the *Bulla Cypria* (X.25.27), Germanos was to have complete archiepiscopal power over such things as ordinations and visitations. These rights, moreover, were *not* to pertain to the Latin archbishop and bishops until after Germanos's resignation or death, and the Latins were to involve themselves in no way in these matters (X.25.28). This meant that, temporarily, the Greeks won some of the rights they requested in 1250. The Latin archbishop and bishops still had certain power over the Greeks, especially in court cases where the hierarchy of appeals applied, and Germanos had to take the oath of obedience to Hugh, but it is explicitly stated that this oath would entail no real power of Hugh over Germanos, and Germanos's person was exempted from any jurisdiction of Hugh (X.25.29-30).

After the death of Germanos, his successor would also occupy the see of Solea, but he would be a mere bishop subject to the archbishop of Nicosia, his diocesan bishop. A clause states that he would be a "simple bishop of the Greek

104. Contrary to Kyrris (1996), 215, it does not seem that the archbishop's seat was moved to Solea once before.

race (*nationis*)," but it is unclear whether this entailed that he would be the leader of the Greeks of Cyprus, or that it merely meant he was to be a Greek, which is more likely (X.25.27). Another thing that is unclear is whether the future bishops of Solea were to be allowed to reside in Nicosia at the Church of St Barnabas whenever they chose, which seems to be what actually happened.¹⁰⁵

The *Bulla Cypria*, which was to be applied to Orthodox Syrians as well (X.25.32), has been seen as the product of Germanos's treachery or cowardice. We do not know if Germanos had anything but selfish motivations in obtaining an exception for himself. It is probably the case that he could have done no better, and so his compromise at least provided some breathing space for the Greeks and allowed for a long time of adjustment.

The time of adjustment was long indeed, for Germanos did not die soon. Hugh, the uncompromising reform archbishop, would perhaps understandably be upset with the loss of the power granted to him by Alexander himself in 1255. Even if we attribute to Hugh purely spiritual motivations, his loss of jurisdiction would still be a serious disappointment, because it hampered his ability to continue his program. Pope Urban IV (1261-4) succeeded Alexander in 1261, and Hugh probably took the opportunity to complain about the situation. It is instructive that in Urban's responses of 1263 and 1264, the pope relates that many of Hugh's troubles concerned the same abuses the archbishop had fought against over the previous decade: adultery, blasphemy, sacrilege, gambling, sodomy, etc. (X.26.5; 28.2). The secular arm refused to help Hugh in any way, and so the archbishop was powerless to fight such sinning, which the people now considered their "right" (X.26.6-7).¹⁰⁶

Given this concern for public morality, consistent with Hugh's actions as archbishop generally, we should give him the benefit of the doubt about his motivations for his complaints against the Greeks and Syrians who refused to obey the terms of the *Bulla Cypria* and openly opposed the Latin Church (X.26.4; 28.2).¹⁰⁷ In fact, the Greeks and Syrians who did obey the terms of the bull were being driven from their churches and denounced as "heretics and schismatics" by the rest. It is even stated that they destroy the houses and vineyards of those who are loyal to Rome, so that they and their families have to rely on the archbishop for support (X.27.2). Urban remarks that Alexander's efforts will be in vain without the assistance of the secular arm, led by the bailiff Prince Hugh of Antioch, the future King Hugh III (X.26.8; 27.3).¹⁰⁸

105. Hackett (1901), 122, assumes so. On the situation of the Greek archbishop and bishops after 1260, see Kyrris (1990-91), 342-58.

106. For the wider context, that is of the fall of the Latin Empire of Constantinople and Urban's fight against schismatics, see Barber (1989), 115-20.

107. Hill III (1948), 1058, provides both the Greek and Latin characterizations of Hugh.

108. Mas Latrie I (1851), 393-4; Hackett (1901), 124-6; Hill III (1948), 1062; Magoulas (1964), 93; Gill (1977), 92-3, noting the division within the Greek Church; Efthimiou (1987), 49; Kyrris (1992), 177-8; Papadopoulos (1995), 605-6; Richard (1996), 28-9; Kyrris (1996), 215; Coureas (1997), 302-5.

The situation forced Archbishop Hugh to go to Rome personally in 1261 or 1262 at the latest (X.28.5). There is no hint, however, that Hugh opposed the terms of the *Bulla Cypria*, but Urban did grant Hugh the power to punish everyone in the kingdom, without making any exception for Germanos (X.28.8). Hugh did not return to Cyprus, and in 1267 it is clear from a letter of the patriarch of Jerusalem, William of Agen, that many Greek clerics still refused to offer obedience to the Latins (X.29). The situation was obviously complicated by the struggle between the Latin lay and ecclesiastical authorities on Cyprus, and the fact that Germanos was still alive.

This situation was not permanent, however, and it would be wrong to claim on the basis of 1267 that the *Bulla Cypria* never really took effect, and that the Greek and Syrians never obeyed its terms. Unfortunately, we do not have many Latin ecclesiastical documents on the relations between the Greeks and Latins of Cyprus between 1267 and 1295, although this very fact suggests that the situation quieted down to the satisfaction of the local Latin hierarchy.¹⁰⁹ The document we do possess from these years,¹¹⁰ moreover, has only been recently dated to this period: the so-called "Regulation Instructing the Greeks" of Archbishop Ranulph (ca. 1278-85), from the early 1280s, the largest document in the *Synodicum Nicosiense* (text B).

Ranulph's text is actually in a confused and perhaps fragmented state, but it seems to be the archbishop's attempt to repeat to the Greeks and Syrians their status according to Innocent IV's letter of 1254 to Eudes of Châteauroux concerning doctrine.¹¹¹ It is plausible that Germanos's death around 1280 or just afterwards occasioned Ranulph's proclamation, both because the document appears to assume that no Greek archbishop exists and because Germanos's death so long after 1260 would naturally require that a reminder be given to the Greeks and Syrians about their new, permanent status on Cyprus. Perhaps as a sign of conciliation, Ranulph opens with words of unity, cooperation, and mutual respect between Greeks and Latins, as if to say that a long journey was just beginning (B.a-c). Ranulph states explicitly, moreover, that his instructions were to be translated into Greek (B.d).

Ranulph's attitude toward the Greek bishops is, however, more in accordance with the canons of the Fourth Lateran Council rather than the *Bulla Cypria*, for Ranulph regards the Greek prelates as merely tolerated by the Latins,

109. Coureas (1997), 310, admits that maybe no news is good news. Hackett (1901), 126, simply jumps from 1264 to 1313, as do Hill III (1948), 1064 (except that he places "Raphael" in this period, p. 1063) and Papadopoulos (1995), 606. Magoulas (1964), 94, follows Hill. Efthimiou's (1987), 76-7, remarks on the post-1264 situation are inadequate.

110. Besides (X.30) a reaffirmation of an earlier statute of Hugh, which applied to the Latins only, although Efthimiou (1987), 51, misinterprets this as being against the Greeks.

111. See comparisons in Hackett (1901), 106-12 and 124, whom Kirmitses (1983), 32-7, follows, claiming (p. 37) that Germanos is dead; on the document, see also Mas Latrè I (1851), 384; Magoulas (1964), 94; Furber (1969), 628; Gill (1977), 90-2, suggesting that Germanos was no longer archbishop; Darrouzès (1979), 60-6; Efthimiou (1987), 51; Kyrris (1992), 178; Papadopoulos (1995), 603; Richard (1996), 29; Coureas (1997), 306-10; Coureas (2000), 83-95, with a detailed summary.

and as deputies appointed by the Latin bishops rather than elected bishops (confirmed by the Latins) with real jurisdiction over the Greeks (B.1).¹¹² Also, now that Germanos was dead, Ranulph maintained that Greek bishops had to obtain permission from the Latin bishop and lay lord for ordaining priests, in accordance with the agreement of 1222 (B.13.e-f). The *Bulla Cypria* had been silent on this, and perhaps Ranulph saw the need to remind his flock of the previous ruling.

In other respects Ranulph is content to expand on and to strengthen Innocent IV's pronouncements on the sacraments, except that he adds a condemnation of theft, which Ranulph considers a common Greek sin (B.2). The Greeks were to follow the Roman Church's teaching on the sacraments, and if they did not know this teaching, they were to seek information from the archbishop (B.3, 5). Ranulph relates that the Greeks were particularly ignorant of the (Latin) canonical hours and the sacrament of Penance or Confession, for which Greek and Syrian clerics had to get permission (B.6b, 7a, c). He wished secular clerics to follow St Basil or Chrysostome in the saying of the Mass (B.6b), and the regular clergy the rule of St Basil (B.16). Interestingly, Ranulph stipulated that the monks should eat together in the refectory and sleep together in the dormitory in the western manner.

It appears that the first fourteen decrees form a unit on the sacraments. Afterwards a list of excommunicates, similar to Eudes' or Hugh's earlier list (C), is inserted awkwardly (B.15), and one wonders whether the following items belong to Ranulph. At least one, from Pope Boniface VIII (B. 26), from 1300, postdates Ranulph's reign. Particularly curious is a condemnation of those Greek clerics who deny the validity of unleavened bread, which stems from a provincial council (B.18.g). The statement refers to the fact that these priests and monks went into exile, presumably after the death of the Kantara monks. It mentions that the author's predecessors (plural), presumably Eustorge, Hugh, and perhaps others, had excommunicated them each year, but they persisted. If Hugh is one of the predecessors, then some Greek clerics did not return from exile with Archbishop Neophytos in the late 1240s. Certainly the problem continued to the end of the century, but if the author is Ranulph, his remark that he also warned these clerics to return would suggest that either they were very old men or that there was another period of exile about which we do not know. We will probably never determine with certainty the precise nature of this section of the *Synodicum Nicosiense*.

The everyday situation toward the end of the thirteenth century is probably reflected in a somewhat humorous episode that Boniface VIII (1294-1303) describes in a letter of 1295 (X.31).¹¹³ At some point in the 1280s Bishop Berard of Limassol, a Dominican scholar, went to the Greek Cathedral of Lefkara to

112. Hackett (1901), 124, thinks that Ranulph is following the spirit of the *Bulla Cypria*, however. Since the *Bulla Cypria* was only in Greek officially from 1287 (see Darrouzès [1979], 7-10; cf. Richard [1996], 30), one wonders whether Ranulph was stretching its terms.

113. Richard (1996), 30; Coureas (1997), 31-2.

perform a visitation of Bishop Matthew's church according to the terms of the *Bulla Cypria*, whose promulgation Matthew himself had witnessed decades before. Berard asked the priests and canons of the church for their belief concerning the use of leavened and unleavened bread in the sacrament of the Eucharist. Apparently they replied that they had no idea at all, while Matthew signaled to them by nodding his head. When the clerics were asked to swear an oath to the truth of certain articles of faith, they refused, and Matthew explained by quoting the Gospel according to Matthew: "Do not swear" (X.31.1). Matthew refused to appear before Berard in Limassol, however, and was excommunicated as a result (X.32.2), and the patriarch of Jerusalem, Nicholas of Hanapes (1288-91), had no more luck with Matthew, and excommunicated him as well, having it announced in all the churches of Cyprus (X.32.3). After Nicholas's death, Berard declared Matthew a heretic, but Matthew took refuge in the Nicosia diocese. When Berard applied to Archbishop Gerard's predecessor John of Ancona (1288-95) for Matthew's extradition, John refused! So Berard appealed to the pope (X.32.4). As in 1231, Boniface wrote to the new archbishop, Gerard of Langres, giving him power to invoke the secular arm, if necessary, against those suspect of heresy, although this time the Greeks were careful not to incriminate themselves (X.31.2). Boniface ordered Gerard to have Matthew arrested and imprisoned (X.32.5). Whether this happened is hard to say, but one can see that Greek defiance remained although with subtle differences: Matthew did not act as the Kantara monks had. Questions of jurisdiction between Berard and Archbishop John must also have played a role in aiding Matthew's little rebellion.

So it seems that Archbishop Gerard was more of a hard-liner than his predecessor. Accordingly, Gerard held a provincial council in Bishop Berard's cathedral church of Limassol in 1298, the acts of which are recorded in the *Synodicum Nicosiense* (text G).¹¹⁴ This council again involves basic regulations concerning the sacraments, and follows in many ways Ranulph's instructions concerning the Greeks. The council contains nothing specific to the Greeks, however, which may be an indication of both smooth relations and also the independent nature of Greek and Latin ecclesiastical affairs.

The saga of the disputed election of the bishop of Solea shows the points at which Greek and Latin church business intersected, and how despite some insubordination, as exemplified by Bishop Matthew of Lefkara – whom only the pope could depose –, the *Bulla Cypria* was enforced to a degree. Boniface VIII describes the proceedings in a letter of 1301 (X.33). The story is interesting in itself, but what concerns us is the involvement of the Latin Church. Briefly, three candidates claimed the episcopal throne of Solea after Bishop Neophytos's death (not to be confused with Archbishop Neophytos), all based on elections: first, Leo Verna, dean of Solea Cathedral; second, Theodore, dean of the Church of St

114. Mas Latrie (1884), 251; Coureas (2000), 96-104, with detailed summary.

Barnabas; and third, Joachim, abbot of St George of Mangana. These three were arguably the most powerful Greek clerics in the Nicosia diocese. As stipulated in the *Bulla Cypria*, all three candidates took their election to Archbishop Gerard, or in this case his vicar, for confirmation. When it appeared that the vicar would rule in Leo's favor, Theodore and Joachim appealed to the pope (X.33.2, 7). Boniface committed the case to cardinal-bishop John of Tusculum, and Leo, Theodore, and Joachim's representative Germanos, a monk of Mt Athos and probably the future abbot, went to Rome personally (X.33.2-3, 8). During the proceedings Leo was examined by two neutral Greek monks from a monastery near Rome for his knowledge of the Greek rite, to determine his suitability (X.33.3, 9). After a long procedure and several accusations against Leo by Theodore and Germanos, the election of Leo was upheld.¹¹⁵

The details illustrate that the terms of the *Bulla Cypria* were being carried out, and that even the local Greeks were willing to take their internal disputes to the archbishop of Nicosia and to exercise their right to appeal to Rome, where they could expect, it appears, impartial justice. The Latin Church was also taking the initiative in involving itself in Greek ecclesiastical affairs, as its right to visitation from the *Bulla Cypria* entailed. In letters of 1306 and 1308 Pope Clement V (1303-14) wrote to Latin bishops asking them to investigate reports of abuses in Greek monasteries, including St George of Mangana (X.34 and X.35). They were to reform the monasteries if the reports were found to be true, some with "Catholic" monks (X.34.2) and, in the case of Mangana, by uniting it with Bellapais, as requested by the Armenian lay-brother of Bellapais, Hayton (X.35). Since we know that Mangana was not joined with Bellapais, we may assume that the bishops of Limassol and Famagusta cleared the Orthodox monastery of the charges, which may have been motivated by Bellapais's greed or Hayton's desire to impress the pope on behalf of his employer, the usurper Amaury.¹¹⁶

Periodic outbreaks of trouble between the Greek and Latin clergy are difficult to interpret: are they representative, or are they exceptions to a prevailing peace? Since papal correspondence was saved in duplicate, and the popes took an active involvement in the affairs of the Cypriot Church, it would seem that what little strife we do hear of was the exception rather than the rule. Aside from the Bishop Matthew affair, the first sign of conflict after 1267 surfaces with the coming of the papal legate Peter of Pleine-Chassaigne, bishop of Rodez and later patriarch of Jerusalem. According to Bishops Leo of Solea and Oiivarios (or Olbianos) of Lefkara, Alexander IV's *Bulla Cypria* settled the differences between the Latin prelates and the Greek bishops who represented both the

115. Coureas (1994), 280-1; Coureas (1997), 313-4. Since the report says that the archbishop's vicar made the ruling, we need not be concerned with Coureas's contention that it occurred before 1297 when Gerard left for France (p. 313). In any case, Gerard was still in Limassol in 1298 for his council.

116. There is mention of the reform attempt in Richard (1989), 55; Coureas (1994), 279; Coureas (1997), 314-6.

Greeks and the Syrians. For Leo and Olivarios, the *Bulla Cypria* was observed in peace in Cyprus until a certain incident with the legate (X.37.1-2). Under the arrangement, the bishops maintained, the Greek prelates exercised jurisdiction over their Greek and Orthodox Syrian subjects (X.38.1). Additionally, in 1321 Pope John XXII (1316-34) himself supplies the information that Bishop Olivarios normally enjoyed the right of allocating Greek ecclesiastical positions in his diocese (X.40.2). The implication is that the *Bulla Cypria* truly represented a *modus vivendi* for all parties, and functioned well for a half a century. The legate Peter published some regulations in the Council of Nicosia of 15 June 1313, but these pronouncements, contained in the *Synodicum Nicosiense* (text H), do not concern specifically Greek issues and instead follow along the lines of Archbishop Hugh's regulations. Peter's statutes on morality, education, administration, and divine offices are particularly informative about what he perceived to be the problems of the clergy of Nicosia Cathedral and the province.¹¹⁷

At that point Peter was coming into conflict with the Greeks. We learn from a letter of John XXII dated 1318 that, according to Bishops Leo and Olivarios, before his departure, Peter had imprisoned them without grounds, and left the island without releasing them. The bishops petitioned Pope John to at least have them released pending trial, with sufficient security (X.36). It is only in 1321 that we hear the whole story. Peter observed that in Cyprus Greeks and Orthodox Syrians showed much reverence for the bread and wine of the sacrament of the Eucharist when the priest presented the bread and wine to the congregation, even though the bread and wine had not yet been consecrated. For Peter, since the bread and wine had not yet become the body and blood of Christ, such displays of reverence were equivalent to "idolatry or heresy" (X.37.2). Peter's published regulations encourage and reward due reverence to the consecrated host (H.XXXVI), but Peter proceeded, we are told, to make regulations against the worship of the unconsecrated host and wine and concerning extra obligations of the Greek bishops that were not contained in the *Bulla Cypria*'s terms (X.37.2). This probably occurred in early 1313 or 1314: in a letter of early 1321 it is said that more than six years had passed (X.38.5), and the event Peter's actions provoked happened on 1 May in 1313 or, less likely, 1314.¹¹⁸

The Greek bishops appeared before the legate and explained to him why they were not obliged to obey the regulations, but Peter rejected their explanations. At this point, a large number of Greek lay people, apparently of the lower classes, began to shout in anger and set off for the archbishop's palace where the legate resided. From other sources we know that they attempted to

117. Mas Latrie (1884), 255; Hill III (1948), 1071-2; Papadopoulos (1995), 606-7; Fedalto (1995), 692-3; Schabel (1998), 39; Coureas (2000), 100. On Peter, see Golubovich III (1919), 125-53, esp. 145-6.

118. Hackett (1901), 126, n. 1, supports 1313, as Peter is described as bishop of Rodez, and not patriarch of Jerusalem, which he became in early 1314. Flurio Bustron has 1313, but Amadi has 1314.

burn the palace,¹¹⁹ but Peter's remark about "idolatry and heresy" goes some way to explain the crowd's anger. Peter blamed Leo, Olivarios, and, we later learn, Bishop Hilarion of Karpasia (see X.38.1), as the instigators of the unrest, had them imprisoned, and placed their cathedrals under administrators who were not to answer to the bishops. Peter then departed the island, as he had completed his term as legate (X.37.3). Unfortunately for Leo and Olivarios, the judicial proceeding had not begun and Peter was no longer there to give his required testimony (X.37.4). Perhaps Hilarion had already died in prison. He is certainly dead by early 1321 (X.38.1), and he is not mentioned in 1318, when Pope John ordered Bishop Baldwin of Famagusta and master Peter Ginolhaco, a canon of Nicosia, to look into the matter (X.36; X.37.5). The result of the investigation was that Leo and Olivarios were released and sent to Avignon along with Baldwin and Master Peter's report. In Avignon the archbishop of Arles was assigned to look into the case (X.37.6).¹²⁰

Upon receiving the archbishop's report, in 1321 Pope John decided that, because of time served, their age (which suggests that Leo is not the same as the Bishop Leontios of Solea of 1340), and their willingness to obey the pope's orders, Leo and Olivarios should be returned the full administration of their cathedrals, even if, perhaps, one or both of them was to blame for the little uprising in Nicosia. Nevertheless, John admonished the Greek bishops to show obedience and reverence to the pope and the papal legates (X.37.7). In addition, he agreed with Peter on the subject of the unconsecrated host, and ordered all the Greek bishops to explain to the people that they should not worship the bread and wine before their consecration (X.37.9). John also urged Bishop Baldwin of Famagusta to see to it that the Greeks and Syrians learned this, although he stressed that their other customs should be tolerated – he mentioned one surrounding the Eucharist explicitly – even if they were different from those of the Latins, as long as they did not contradict the "Catholic faith" (X.39.1, 3). The Eucharist issue seems to have plagued Greek-Latin relations from beginning to end.

John XXII displayed much sympathy for the Greek bishops in the specific case, but he also made a point of telling Bishops Leo and Olivarios that he did not want to modify the *Bulla Cypria* in any way (X.37.10). Pope John stuck with this attitude, for in making claims to Cypriot ecclesiastical vacancies in 1327, he explicitly excepts the Greek churches (X.51). More significantly, this was also the attitude of the pope's Latin advisors in Cyprus. They counseled that the Greek bishops should not have to obey Peter's regulations, except in the case of the unconsecrated host (X.37.8).¹²¹ For the Greeks, then, the *Bulla Cypria* functioned well and could be and was in fact used to safeguard their rights in maintaining

119. See e.g. Hackett (1901), 126; Hill III (1948), 1072.

120. Kyrris (1996), 231.

121. Kyrris (1996), 231, states that Peter's ordinances were abolished.

the status quo. The local Latin hierarchy, moreover, displayed the same attitude, and it is telling that this first significant disruption after 1267 (as far as we are aware) occurred as result of the intervention of the visiting papal legate.

Conflict between the two local hierarchies, then, focused on areas where the *Bulla Cypria* and Innocent IV's instructions of 1254 were vague. The worship of the unconsecrated host is an example of this. A more significant issue was what to do with the Syrian Orthodox refugees who had fled to Cyprus after 1260 as the last bastions of Latin Syria fell to the Muslims. The *Bulla Cypria* explicitly stated that the regulations for the Greeks also applied to the Syrians of Cyprus who had shared the same rites and practices with the Greeks of Cyprus "from ancient times" (X.25.32). Did newcomers Syrians who shared those customs but who had not been in Cyprus before come under the same umbrella? According to Leo and Olivarios, the Greek bishops had at least de facto jurisdiction over the Syrian refugees, and the right to confirm the election of the abbots of the Syrians who had taken refuge in Cyprus after 1260 (X.38.1). While they were in prison, however, the Greek bishops claimed that the Latin prelates asserted that they should have jurisdiction over the new Syrian refugees and their monasteries. Not only that, we are told that they also involved themselves in the internal affairs of the Greek churches and cathedrals, in marriage cases, and other matters (X.38.3). And despite Bishop Baldwin's role in the release of Leo and Olivarios, if we are to believe a later letter of Pope Urban V dated 1365 (X.58.1), there was in fact a dispute concerning the jurisdiction over the Greeks and Syrians of the Famagusta diocese between Baldwin and the Greek Bishop Hilarion of Karpasia. Supposedly, Hilarion and Baldwin took the case to the legate Peter, who pronounced in favor of Baldwin (X.58.1). I know of no contemporary evidence, but it does appear that Peter was interpreting the *Bulla Cypria* in the way Ranulph had: ultimate and therefore real jurisdiction applied to the Latins. To top it off, apparently the Greeks' copy of the *Bulla Cypria*, perhaps in Bishop Leo's possession, ended up with Master William Lambert, Bishop Baldwin's brother, who refused to return it without a large sum of money (X.38.4)!

This was not the only problem for Leo. It seems that while he was in prison just about everyone descended like vultures on his episcopal property: Latin, Greek, and Syrians clerics and laymen took away serfs, money, animals, and crops from Leo's estate. Some of the main culprits were four of the canons of Leo's cathedral of Solea, including the future Bishop Leo of Karpasia. And a knight, Bartholomew of Montolif, obtained the papal letters for Leo and Olivarios's release and extorted a great sum of money from Leo to turn them over (X.38.6)!

Pope John ordered that this particular situation be rectified with due compensation, under pain of excommunication (X.38.6). He also agreed in July of 1321 to annex the monastery of the Holy Savior of Lefkara to Bishop Olivarios of Lefkara's estate, because Olivarios was not able to support himself fittingly and because the monastery was deserted (X.41.2). On the same day, for the same

reason of relative poverty, John granted Bishop Leo of Solea a lifetime provision of food and clothing at the expense of St George of Mangana (X.42). But John never seems to have made a firm decision about which jurisdiction the Syrian refugees fell under, although from Archbishop Elias of Nabinaux's council of 1340 it would appear that several of these groups had quasi-autonomous status. John himself recognized that some of them were Nestorians and Jacobites, anyway, and hence not Greek Orthodox (X.50.1). On the other hand, in Urban V's letter of 1365 Bishop Leodegar of Famagusta claimed that after the dispute between Hilarion and Baldwin, the Latin bishops of Famagusta peacefully had at least "quasi possession" of jurisdiction over the Greeks and Syrians for the next forty years (X.58.1; after that there was another dispute, on which see below). It is probable that day-to-day jurisdiction remained in Greek hands, however.

John XXII, despite his age, was an especially energetic pope. Many Greeks of Cyprus applied to him for assistance, either financial or in their dealings with other Greeks and also Latins (e.g. X.40-46). Of course, in far-away Avignon the pope was dependent on second-hand or biased reports. For example, in 1321 a Greek cleric named Theodoros managed to get John to grant him a chapel in the Limassol diocese conditionally, because Bishop Olivarios of Lefkara had not allocated it himself within the legal time limit (cf. *Bulla Cypria*, X.25.16), even though, as we have seen, poor Olivarios had probably been unable to do so for the past several years (X.40). More interesting is the story of the Church of St Niketas in Lakatamia, which belonged to St George of Mangana. Again in 1321, Pope John granted the church to Lembiti Vriono, canon of Solea. Lembiti claimed that the church had collapsed and its revenues were only about 20 gold florins, but without it he could not sustain himself (X.43.2). A year later, Abbot Germanos of Mangana, probably the monk of Athos encountered earlier, complaining of general abuse of his monastery's possessions (X.44.2), responded with the information that Lembiti was actually Bishop Leo of Solea's nephew, and that St Niketas, presumably not derelict, was worth some 50 gold florins yearly. A no doubt frustrated Pope John asked the patriarch-elect of Jerusalem to investigate (X.45). Germanos also charged that Bishop Leo had lied about his economic situation, his income being a healthy 1500 gold florins annually, and therefore should not be provided food and clothing from the monastery (X.46.1).¹²² John had to continue to switch over his sympathies to Abbot Germanos, for in 1326 he wrote that St George of Mangana was suffering further, this time at the hands of the Latin archbishop of Nicosia, John of Conti (X.47-49). The affair dragged on until Pope John even had to protect one of Archbishop John's men, the Greek monk Paysios (X.52).

With Pope John's interest in justice among the Greeks and their protection from Latin abuse, he should not be accused of being anti-Greek. This makes his

122. On this, see Coureas (1994), 279-82.

doctrinal policy all the more important. In 1326 John complained to the Latin patriarch of Jerusalem, Raymond of Bequini, about the christological heresies of the Nestorians and the Jacobites on Cyprus. He added, however, that some of the Greeks denied Purgatory and even Hell, and that other Greeks committed what he deemed abuses in connection with the sacrament of the Eucharist (X.50.1). Patriarch Raymond was to do his best to uproot such errors (X.50.2).¹²³ Thus Pope John XXII, like the other popes, consistently professed and practiced tolerance of Greek rites and customs, but only insofar as they did not conflict with what he considered the orthodox faith. He stayed loyal to the *Bulla Cypria*, and defended Greeks whenever they requested his aid, but he stayed true to the policy of Celestine III and his successors on doctrine. The popes always required spiritual obedience to Rome.

Archbishop John of Conti (1312-32), a Dominican, plays an important role in the history of the Latin Church of Cyprus. He completed most of the final stages of Nicosia Cathedral, including a chapel dedicated to his fellow Dominican Thomas Aquinas, canonized in 1323. In 1322 Archbishop John had the *Cartulary* of Nicosia Cathedral compiled. From 1320 to 1325 the archbishop published several regulations preserved in the *Synodicum Nicosiense* (texts I and J).¹²⁴ These proclamations, like most in the *Synodicum*, concern primarily the internal affairs of the Latin Church of Nicosia, although some apply to everyone. Only one regulation mentions Greeks explicitly: no monk of Nicosia, Latin or Greek, was to transact business over a certain sum, without his permission (J.VIII.a). Besides the common regulations, there is a general concern with financial matters in John's decrees. Financial troubles probably played a part in John's decision to compile the *Cartulary*, which defended the Nicosia Church's property and tithe rights. One regulation, from 1325, specifically aims at defending the "rights, honors, and goods" of Nicosia Cathedral (J.IX). Clearly John was worried about usurpation from outside.

It is unclear, however, to what extent this worry justifies his actions in the case of the abbey of St George of Mangana. We do not have John's side of the story, but according to Germanos it began with some injuries done to him by John. Germanos appealed to Pope John, and Archbishop John sent three of his familiars to break into Germanos's safe and carry off the money and goods inside. The fact that two of the three familiars appear to have been Greeks (Theodimos and Constantinos) suggests that the whole affair was not due to the archbishop's anti-Hellenism (X.47.1). Later John removed Germanos, but he replaced him with two Greeks, Dionysios and Paysios (X.48.1). And finally we

123. Hackett (1901), 127, characterizes this as the pope's unceasing harassment of the Orthodox. He then jumps to the incident with Peter Thomae of 1360 (pp. 127-33)! See also Hill III (1948), 1074; Magoulias (1964), 95; Kirmitses (1983), 50, speaking of the "lack of faith" and even the "hatred" of the Greeks for the Latins; Papadopoulos (1995), 608-9; Fedalto (1995), 693-4; Duba (2000), 173-4, with a full translation.

124. Mas Latrie (1884), 257-8.

learn that Germanos, who had many Greek opponents, as we have seen, even within his own monastery, complained that Archbishop John had entrusted one of his monks, Makarios, with running St George of Mangana's dependent monastery near Tarsus in the Kingdom of Armenia (X.49.1). So whatever John's motivation was, it had nothing to do with the *Bulla Cypria* or relations with the Greeks.¹²⁵

In the reign of the Franciscan Archbishop Elias of Nabinaux (1332-42) the positive relations between the various Christian rites and sects on Cyprus appear to have reached their zenith. Elias was a Parisian master of theology, and when he came to Cyprus he set about reforming the Latin Church. The compilation of the *Synodicum Nicosiense* is most probably his work, and its focus on morality, discipline, and doctrine rather than the *Cartulary's* emphasis on economics and jurisdiction may reflect Elias's and John of Conti's differing concerns. Elias punctuated the earlier sections of the *Synodicum* with his own reconfirmations of earlier decrees, specific or general (A.XXX.4; D, for Nicosia, later expanded for all of Cyprus in L.V; and K), and half of his own provincial council of 1340 does the same (L.I-III, V-VIII).¹²⁶

What is most noteworthy about Elias's reign is his oecumenical policy. A letter from the reforming Pope Benedict XII (1334-42) from 1338 informs us that Elias had already attempted to draw the various Christians to obedience to the Roman Church (X.53).¹²⁷ After the influx of refugees from Syria and perhaps Armenia, the ecclesiastical mix on Cyprus was more complicated than the mere "Latins, Greeks, and Syrians" we read about in most thirteenth century documents (but see X.9). Now we have Armenians, Jacobites, Nestorians, and Maronites as well. What Elias tried to do was emphasize the common faith of all of these sects, while allowing for differences of rite that did not compromise that common faith. Elias wished to take the relations between these groups, already relatively harmonious based on the terms of the *Bulla Cypria*, to a new spiritual level.

Innocent IV's letter of 1254 already outlined some doctrinal and practical rules for the non-Latin population of Cyprus, but unlike the *Bulla Cypria*, Innocent's instructions were neither solicited by nor the product of negotiations with the non-Latin side. Germanos and the Greek bishops represented the Greeks and Syrians in Rome in the period leading up to the 1260 arrangement. Perhaps Elias of Nabinaux wished to duplicate Alexander IV's jurisdictional agreement with a doctrinal one. This entailed that representatives of all rites and sects on Cyprus should participate actively in the proceedings. Accordingly, when Elias held his provincial council in the great hall of the archbishop's palace of Nicosia in January of 1340, all three of his Latin suffragan bishops were in attendance

125. Hill III (1948), 1072-4, uses the incident as evidence that John was anti-Greek. See also Coureas (1994), 282-5; Papadopoulos (1995), 608.

126. Schabel (2000a), 65-6.

127. Mas Latrie (1884), 263-5; Hill III (1948), 1077; Fedalto (1995), 694; Schabel (1998), 47; Schabel (2000a), 68, 73-4; Duba (2000), 187-8, with full translation.

along with all four of the Greek bishops, the bishops of the Maronites and Armenians, the rectors or elders of the Jacobites and Nestorians, and many other clerics and laymen, named and unnamed, of the various nations. Interpreters were on hand to facilitate understanding, and Latin, Greek, Arabic, and Armenian were the languages of the council (L.1, 14).¹²⁸

Hammering out a profession of the one faith that all shared, however, was no easy task. As it happened, Elias continued the papal policy of zero toleration on matters of faith. The profession of faith was identical to that of the Roman Church in every way (L.2-12). Elias simply cut and paste canons of the Fourth Lateran Council (1215), Innocent's letter of 1254, the Second Council of Lyon (1274), and a recent decree of Pope Benedict XII (1336). The Greeks were reminded once again that the use of unleavened bread in the sacrament of the Eucharist is valid and efficacious (L.10), and a later decree of the council, not part of the profession of faith, reiterates Peter of Pleine-Chaissagne's concern about the worship of the unconsecrated host: Elias stipulated that the Greek bishops and those of the other sects were to decide upon a signal so that the congregation would know exactly when the bread and wine had become the body and blood of Christ, so that proper reverence would be shown at the right time and not before (L.IV). As in Innocent's letter, the profession of faith contained a statement about Purgatory and Hell (L.8-9), and about the legitimacy for widows to remarry as often as they are widowed (L.10). The most difficult doctrines for the Greeks to accept were also prominent: the *Filioque*, or procession of the Holy Spirit from the Father *and the Son* (L.3), and papal primacy (L.11). Finally, the new doctrine concerning Beatific Vision, promulgated by Pope Benedict XII against the late Pope John XXII, was announced (L.8). Before his death, a council had been called in Paris to censure Pope John for his error that the blessed would wait until the Last Judgment to have face-to-face vision of the divine essence, a theory more in line with Greek views than with Latin ones. Naturally the Greeks were not the only ones faced with a profession of faith in some ways contrary to their tradition. The affirmation of the Virgin Mary's role in the Incarnation and the human and divine natures of Christ went contrary to the non-Chalcedonian sects, the Armenians, Nestorians, and Jacobites (L.3-5).

Although asking the non-Latin prelates to ratify this profession of faith may seem ridiculous, Elias was making absolutely no change in policy. The profession of faith contained only what Elias and the Roman Church considered, at the time at least, indispensable. The continual calls for spiritual obedience to Rome and to the local Latin prelates throughout the thirteenth and early fourteenth century entailed that the non-Latins agree to these articles of faith,

128. Hill III (1948), 1076-7; Magoulias (1964), 95, complaining that "the Orthodox Greeks were thus included among the heretic monophysites and Nestorians"; Fedalto (1995), 694; Coureas (1998), 80-1; Schabel (1998), 50-2; Schabel (2000a), 74-9; Duba (2000), 167-8, 188-90.

although Innocent IV and Archbishop Ranulph made this most explicit. Accordingly, Elias reiterated what had been said often before: the profession of faith and the reaffirmation of previous local conciliar decisions were not meant

to hinder the Greek bishops and their subjects from following their rites which are not opposed to the Catholic faith, in accordance with the agreement between Latins and Greeks in the Kingdom of Cyprus, observed for so long, which lord Alexander of happy memory, the Roman pontiff, produced (L.12).

Elias also stressed that the papal curia was a court of appeals for everyone, something that the Greeks of Cyprus had been utilizing for years (L.11).

The difference between Elias's council and the earlier proclamations was that the non-Latins were asked to ratify the profession of faith, for themselves personally and as representatives of their flocks. We are informed that this is exactly what they did, when it had been translated into their languages. They did so, moreover, of their own free will, without fear or coercion (L.13).

It is difficult to interpret Elias's success, or to assess its impact on the later history of Latin and non-Latin ecclesiastical relations. Some evidence exists that Elias's success was real and lasting. Just four years later Pope Clement VI (1342-52) reported that Bishop George of the Cyprus Armenians, presumably the successor of Bishop Gregory who had been at the council, had actually been appointed by Elias and went to Avignon in person for papal confirmation. George even took an oath of obedience and received the sacraments of Baptism and Holy Orders according to the Roman rite (X.54.2). Clement confirmed his appointment, so that George could instruct the Cypriot Armenians further about the Catholic faith, and the pope wrote the new archbishop, Philip of Chamberlhac (1342-60), to support George's efforts (X.54.3, 4b).¹²⁹

There are indications that Greek-Latin relations continued to be harmonious as well. In 1353 Archbishop Philip strengthened the feasts in Nicosia Cathedral of the local Cypriot Sts Barnabas and Epiphanius that Eudes of Châteauroux had supported a century earlier (X.55.6, 8). In 1360 there appear to be friendly relations between Bishop Guy d'Ibelin and the chapter of Limassol Cathedral, on one side, and the Greek Abbot Germanos and the monastery of St Mary of Stilo, which we have seen described as a grange of St Margaret of Agros in the 1240s. The two parties came to a mutual agreement over tithes, and they sought papal confirmation from Innocent VI (1352-62) (X.56). In 1366, the abbey of St George of Mangana is described as "obedient to the Roman Church" (X.59).¹³⁰ And as of 1372 Greeks were still turning to the pope to solve disputes

129. Fedalto (1995), 694-5; Schabel (1998), 52.

130. Coureas (1994), 285.

among themselves. John of Trebizond complained that the abbot of the monastery of Agros, presumably St Margaret, was not honoring the terms of his father's will (X.61). All this would seem to indicate that Elias's report of the council proceedings was true and that it had a lasting impact.

On the other hand, the conciliar tradition itself appears to die with Philip, whose brief decrees of 1353 and 1354 (texts M and N) conclude the *Synodicum Nicosiense*.¹³¹ No non-Latins participate in their composition, even though Greeks are targeted, and instead of emphasizing the unity of faith between Greeks and Latins, Philip is concerned that marriages between Franks and Greeks do not result in the reduction of the Latin-rite population on the island. In mixed marriages, then, the Greek side had to be confirmed in the Roman way (M.I).¹³² Despite the fact that their faith was supposedly one and the same, Philip forbade Greek and Frankish priests from administering the sacraments to each other's flock (M.II). Clearly, and as Philip himself mentions, mixed marriages and the reception of the sacraments from clerics of other rites was occurring in Cyprus in his reign. Another problem Philip wished to curtail was the manumission of serfs without ecclesiastical approval (M.III). One can only imagine that Greek and Syrians serfs were joining the ranks of freemen without the archbishop's consent.

Elias may indeed have left the island in a climate of good will, but Philip's fear of the disintegration of the Latin-rite population appears to outweigh any desire to foster common ties between Latin and non-Latin. In any case Elias's profession of faith seems not to have held up anyway, otherwise it is difficult to see why the papal legate Peter Thomae, a Carmelite, apparently felt the need to attempt to "convert" the Greek clergy in Nicosia Cathedral shortly after his arrival, in 1360, an incident that provoked a riot similar to that of 1314, only the second such episode since the 1260s.¹³³ In 1363, commenting on the various nations and sects on Cyprus whom Elias had supposedly unified in the one Roman faith, Pope Urban V (1362-70) remarked that several of these nations' bishops and other clerics, residing in Cyprus, were schismatics and heretics. True, Urban gave Philip's successor Archbishop Raymond of la Pradele (1361-76) permission to absolve these bishops if they voluntarily returned to the fold, and to confirm their previous acts as bishops and priests, which suggests that both Raymond and Urban still held out hope (X.57.2). But promoting doctrinal unity

131. Mas Latrie (1884), 270-1; Hackett (1901), 137-8; Hill III (1948), 1080-1; Magoulias (1964), 95-6; Kirmitses (1983), 51; Papadopoulos (1995), 617; Coureas (1998), 81-2; Schabel (2000a), 80. Most of M.I and II are also translated in Roberts (2000), 230-1, but with some serious errors.

132. Kyrris (1996), 229, states that Philip was making statutes "against mixed marriages."

133. See e.g. Hackett (1901), 127-34, on this "sincere and wholehearted bigot" (p. 133); Magoulias (1964), 103, wonders at Peter Thomae's actions, since "the Greek prelates were at the time complying with the *Constitutio Cypria* of A.D. 1260, and were swearing fealty to the Latin Archbishop. Perhaps Pierre Thomas *realized* that the Greek prelates were complying with the external requirements of submission with tongue in cheek" (italics mine).

while at the same time supporting the separation of the different rites, which may seem contradictory, also appears to have been futile. Urban again wrote to Archbishop Raymond in 1368, this time in despair, complaining that many of the knights, nobles, bourgeois, and lower classes of the Latins of Nicosia avoided Nicosia Cathedral and even attended the churches of the Greeks “and schismatics,” we assume Nestorians, Jacobites, etc. (X.60.2).¹³⁴

The disasters of the Genoese war, the Great Schism (of the West), and the Mameluke invasion probably ended the possibility of completely conserving the “religious purity” of the Frankish population. Even the western monasteries began to decline after the mid-fourteenth century. The *modus vivendi* offered by the *Bulla Cypria* made for smooth relations up this time, but with papal attention focused elsewhere and frequent absenteeism of the Latin archbishops after 1373, the Greeks probably saw little need to hide behind the terms of the *Bulla Cypria* anymore.¹³⁵ Indeed the Greek bishops of Solea may often have been the island’s church leaders by 1400. This feeling of security, amidst the growing religious syncretism of the fourteenth century in the direction of Greek Orthodoxy in practice, helped lead the Greek bishops to a failed attempt to rejoin officially the Orthodox Church of Constantinople in the early fifteenth century.¹³⁶ Periodic attempts were made by popes and archbishops, notably Pope Sixtus IV, to reverse the trend, but this was probably in vain, at least before the Venetian takeover.

Perhaps Urban V’s letter of 1365 to Archbishop Raymond, re-sent by Gregory XI (1370-8) in 1373, is a sign of the times. The Greek Bishop John of Karpasia again asserted the earlier claims of jurisdiction over the Greeks and Syrians of the Famagusta diocese which Bishop Hilarion had apparently defended in a losing cause in the 1310s. In the presence of Peter Thomae, probably in 1360, John even asked the Latin bishop of Famagusta Leodegar to proclaim that he, John, had such jurisdiction. Not surprisingly in light of his efforts to “convert” the Greeks that year, Peter Thomae repeated Peter of Pleine-Chassaigne’s earlier ruling in favor of Baldwin, imposing perpetual silence on John (X.58.2). The fact that Pope Gregory XI felt the need to reissue the letter in 1373 suggests that the Latins were fighting a losing battle.

With the coming Schism in the West, papal primacy was about to be attacked on the home front. The fourteenth century began with Boniface VIII’s troubles with Philip IV of France and continued in the intellectual realm with philosophical, theological, and ecclesiological attacks on the pope. The doctrine of papal infallibility, so repulsive to modern Greek Orthodoxy, began to be developed, although it was not until the nineteenth century that it became official

134. Mas Latrie (1884), 274; Hackett (1901), 138; Hill III (1948), 1082; Kirmitses (1983), 51; Papadopoulos (1995), 617-8; Coureas (1998), 82-3.

135. In any case, the “revolts” of 1314 and 1360 resulted from Latin legates’ “violations” of the *Bulla Cypria*, not from dissatisfaction with the status quo.

136. See e.g. Hackett (1901), 141-9.

doctrine. Ironically, it was developed by the pope's enemies as a means of *limiting* papal power: one pope could not reverse the previous declarations of a previous pope. Modern papal lawyers have learned this the hard way. More ominous for the pope at the time was the growing movement in the Catholic Church away from papal monarchy and towards representative democracy, which culminated in the conciliarism of the early fifteenth century as a means to end the Great Schism. For a short while the Catholic Church was run almost as the Greeks would have liked. By then, of course, the Orthodox Church in Cyprus was in the ascendant, and the Roman Catholics in decline.¹³⁷

¹³⁷. Hackett (1901), 137, compares the situation on Cyprus with that of the Normans in Anglo-Saxon England, absorbed over time, cut off from their origins. The same would have happened in Cyprus, he contends, were it not for Venice and the Turks. Hill III (1948), points to a "fusion" of Greeks and Franks beginning in the fourteenth century, similar to that of Norman England and Sicily (pp. 1080, 1104). Coureas (1998), 86, however, stresses the problem with the Latin inability to accept non-Latin rites for Latins. On papal infallibility and conciliarism, see Brian Tierney, *Origins of Papal Infallibility 1150-1350. A Study on the Concepts of Infallibility, Sovereignty and Tradition in the Middle Ages* (Leiden 1972) and idem, *The Foundations of the Conciliar Theory* (Cambridge 1955).

PART I

SYNODICUM NICOSIENSE

SYNODICUM NICOSIENSE

Codicem nacti sumus optimum Nicosiensium constitutionum, quo quia concilia nonnulla continentur multorum annorum, et jam editis moxque edendis, partim priora, partim posteriora, hoc eum loco edendum censuimus.

SYNODICUM NICOSIENSE

We have found an excellent manuscript of the Nicosia regulations, and we have decided to publish it in this place because it contains several councils of many years, partly earlier and partly later than what has already been edited and what is soon to be edited.

[Text A]

INCIPIUNT CONSTITUTIONES ECCLESIAE [C] NICOSIENSIS.¹I. *Ut synodus bis in anno celebretur.*²

Quoniam sacris est canonibus institutum ut bis in anno episcopi synodum seu episcopale concilium celebrent, in quo honestati morum et correctioni excessuum praecipue intendatur, quia sicut scriptum est, sive plectendo, sive ignoscendo, hoc solum bene agitur ut vita hominum corrigatur, praecipimus omnibus presbyteris, diaconibus, et subdiaconibus Latinis in Nicosiensi civitate vel dioecesi commorantibus ut quolibet anno, sine alia citatione, in sexta feria post octavam Epiphaniae, et in feria quarta post octavas Pentecostes, veniant ad syno[D]dum quod, concedente domino, in Nicosiensi ecclesia celebrabitur diebus praedictis. Si quis autem venire contempserit, vel impeditus legitime, et se per litteras aut certum nuncium non excusaverit, acriter punietur.

II. *Ut honeste veniant ad synodum.*

Venientes vero in incesso, habitu, et conversatione honeste se habeant, suspecta hospitia et consortia evitantes, si canonicam voluerint effugere ultionem.

III. *De ordine servando in synodo.*

[E] Die vero synodi mane ad maiorem ecclesiam conveniant, ita quod nullus desit pulsatione finita. Si quis vero tunc defuerit, punietur. Intrent autem omnes in honesto habitu, videlicet in hyeme in³ superpellicio vel capa clausa aut choralis; in aestate vero, in superpellicio tantum. Sedeant etiam in locis suis ordinibus et personis decentibus, in quiete et silentio auscultantes ea quae ibidem⁴ dicentur aut statuentur, nullum strepitum in loco benedictionis facientes, quia hoc non possemus aequanimiter tolerare. Nec audeat aliquis exire synodum ante finem, nisi hoc fecerit corporis necessitate pulsatus.

IV. *De moribus et vita clericorum.*

Et quia clericorum moribus corrigendis et reformandis praecipue intendere nos oportet,⁵ ut pote qui [2377A] debent esse speculum seu vivendi regula laicorum, sacris canonibus concordantes praecipimus ut continenter cuncti vivant, et maxime in sacris ordinibus constituti, ab omni libidine praecavescentes, [mg: Later. IV, cap. 14] “et praecipue ab illo nefando vitio pro quo ‘ira Dei in filios diffidentiae venit’,⁶ quatenus in conspectu Dei omnipo[7/312]tentis puro corde ac

1. Ex Cossartii append. tom. XI *add in margin* CM 2. Cf. *Synodicum Nicosiense* E.1; Lateran IV, canon 6. 3. in *omit* CM 4. *ibidem*] *ibidem* C 5. oportet] oportet L 6. Ephesians 5.6.

[Text A]

HERE BEGIN THE REGULATIONS OF THE CHURCH OF NICOSIA.

I. That synods should be held twice a year.

It was established in the holy canons that bishops shall hold synods or episcopal councils twice a year, chiefly with regard to the respectability of morals and the correction of offenses, because, as was written, whether by punishing or forgiving the only valid purpose is to correct the life of men. Thus we instruct all Latin priests, deacons, and subdeacons staying in the city or diocese of Nicosia, without further notice, to come every year, on the Friday after the Octaves of Epiphany and on the Wednesday after the Octaves of Pentecost, to the synod which, God willing, will be held on the aforesaid days in the Church of Nicosia. But if anyone should neglect to come or, if he is legitimately detained, not excuse himself with a letter or a dependable messenger, he will be punished severely.

II. That they should come to the synod with decency.

Those coming shall conduct themselves respectably in their walk, dress, and conduct, avoiding suspect lodgings and company, if they wish to escape the canonical retribution.

III. Concerning the order to be observed at the synod.

On the day of the synod all are to gather in the Great Church in the morning so that no one is absent when the ringing of the bell ceases. But if someone is then absent, he will be punished. All should enter in respectable dress, namely in their surplice or closed or choir cape in winter, but only in their surplice in summer. They should sit in places befitting their orders and ranks, listening calmly and silently to what is being said or promulgated there, and not making a sound in the place of worship, because we would not be able to tolerate this with patience. Nor should anyone dare to leave the synod before the end, unless he does this because he is compelled by the needs of the body.

IV. Concerning the morals and the life of clerics.

Because it is necessary for us to attend primarily to correcting and reforming the morals of clerics, inasmuch as they are supposed to be a mirror or standard of living for the laity, in accordance with the holy canons we prescribe that all [clerics] live in moderation, "particularly those in sacred orders, guarding against every vice of desire, especially that on account of which God's wrath came upon the children of unbelief [cf. Ephesians 5.6], so that in the sight of Almighty God

mundo corpore valeant ministrare.” Alioquin, prout in eadem constitutione sequitur, punientur. “Dignum est enim ut quos Divinus timor a malo non revocat, temporalis saltem poena cohibeat a peccato.”⁷

V. *Ut clerici abstineant a⁸ crapula.*

[B] “A crapula et ebrietate omnes clerici diligenter abstineant, unde vinum sibi temperent et se vino, nec ad bibendum quispiam incitetur, cum ebrietas et mentis inducat exilium et libidinis provocet incendium.” “Si quis vero super his se culpabilem exhibuerit,”⁹ ut in hac [*mg*: Later. IV, cap. 15] constitutione legitur, punietur.

VI. *Ut non cohabitent cum mulieribus.*

Sed nec cum mulieribus aliquibus commorentur, aut eisdem cohabitent, quia non solum suspecta est ejusmodi cohabitatio, verum et periculosa. Non enim (ut ait beatus Hieronymus) tutum est vicino ser[C]pente dormire, nam etsi non mordeat, sollicitat tamen.¹⁰ Si quis autem contra fecerit, aut incontinenter vixerit, vel de hoc diffamatus fuerit sive conversari vel confabulari repertus cum ea de qua antea per superiorem monitus extiterat et correctus, poenis scriptis in canonibus subjacebit, vel aliis in legatorum constitutionibus declaratis, prout secundum delicti quantitatem et qualitatem, locorum et temporum congruentiam, superiori visum fuerit expedire.

VII. *Ut non eant ad moniales sine licentia.*

[D] Monasteria etiam sanctimonialium si quisquam clericus sine manifesta et rationabili causa et de nostra licentia speciali adire praesumpserit, poenae canonis subjacebit et alii superioris arbitrio infligendae.

VIII. *De vita et honestate clericorum.*

Item, “clerici commercia vel officia saecularia non [*mg*: Later. IV, cap. 16] exercent, maxime inhonesta, mimis, jocularibus, et histrionibus intendentes, et tabernas prorsus evitent, nisi causa necessitatis in itinere constituti. Ad aleas et taxillos non ludant, nec hujusmodi ludis intersint. Coronam et tonsuram habeant congruentem, et se in ecclesiasticis officiis et aliis bonis studiis [E] exercent diligenter. Clausa deferant desuper indumenta, nimia brevitate vel longitudine non notanda, pannis rubeis vel viridibus, necnon manicis aut sotularibus consutitiis¹¹ vel rostratis, frenis, sellis, pectoralibus et calcaribus deauratis, vel aliam superfluitatem gerentibus, non utantur. Capas manicatas [713] ad Divinum [313] officium intra ecclesiam non gerant, sicut nec alibi qui sunt in sacerdotio vel personatibus constituti, nisi justa causa timoris, exegerit

7. Lateran IV, canon 14. 8. a *omit* CM 9. Lateran IV, canon 15. 10. Cf. Jerome, *Against Vigilantius*, c. 16. 11. consutitiis] consutiitis L

they may perform their duties with a pure heart and chaste body.” Otherwise they will be punished, as is stated later in same regulation, for it is fitting “that those whom the fear of God does not restrain from evil may at least be deterred from sin by a temporal punishment.”

V. That clerics should abstain from drunkenness.

“All clerics should diligently abstain from drunkenness and inebriation. Thus they should accommodate the wine to themselves and themselves to the wine. And no one should be encouraged to drink, since drunkenness both banishes reason and stokes the flames of desire.” “But if someone should be culpable in this matter,” he will be punished as it says in the regulation.

VI. That they should not live in the same place as women.

Nor should they keep company with any women, or live in the same place with them, because such cohabitation is not only suspect, but even dangerous. For, as Saint Jerome says, it is not prudent to sleep with a serpent nearby, for even if it does not bite, it still disturbs. If, however, someone should go against this, or live incontinently, or lose his good name because of this, or be found conversing or talking with a woman about whom he has been warned and corrected previously by his superior, then he will be subjected to the punishments written in the canons or others declared in the legates’ regulations, depending on what the superior judges to befit the severity and the kind of the sin and the exigencies of place and time.

VII. That they should not visit nuns without permission.

Also, if any cleric should presume to go to monasteries of chaste women without clear and reasonable cause, and without our special permission, he will be subjected to the punishment of the canon and any other the superior decides to inflict.

VIII. Concerning the life and decency of clerics.

Again, “clerics should not hold secular offices nor engage in commercial affairs, particularly dishonest ones. They should not attend the performance of mimics, jokers, and actors. They should completely avoid taverns except in case of necessity while travelling. They should not gamble or play at dice, nor be present at games of this sort. They should maintain a becoming crown and tonsure, and apply themselves with diligence to the study of the divine offices and other good subjects. Their outer garments should be closed at the top, and not be conspicuous for being too short or long. They should not use red or green garments, nor curiously-sewn sleeves, nor pointed shoes, nor gilded bridles, saddles, pectoral ornaments [for horses], spurs, or other things exhibiting such superfluities. At the divine office in the church they should not wear long-sleeved cloaks, and priests and dignitaries should not wear them elsewhere

habitum transformari. Fibulas omnino non ferant, nec corrigias auri vel argenti ornatum habentes, sicut nec annulos, nisi quibus competit ex officio dignitatis.”¹²

IX De iis qui ministrare possunt Divinis.

Sacerdotum praeterea filii patribus in Divinis offi[2378A]ciis non ministrent, nec cum eisdem curam animarum habentibus, vel nostrae ecclesiae assisiis¹³ existentibus, commorentur. Insuper omnibus sacerdotibus prohibemus districte ne laicos vel mulieres ad ministerium altaris admittant, sed clericum habeant in tonsura et habitu condecanti.

X. Ut servetur canon “Omnis utriusque sexus.”

Quia vero sententia a non suo iudice lata non tenet, prohibemus districte ne quis sacerdos non curatus, aut nostram non obtinens licentiam in civitate Nicosiensi aut dioecesi, confessiones audiat, solvat, aut liget, nisi necessitatis inevitabilis articulus hoc expos[B]cat. Ex hoc enim decipi contingit¹⁴ fideles, praesumptiones crescere atque scandala, et clavium provenire contemptum. Itaque “omnis utriusque sexus [mg: Later. IV, cap. 21¹⁵] fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata saltem semel in anno fideliter confiteatur proprio sacerdoti, et injunctam sibi poenitentiam pro viribus studeat adimplere, suspiciens reverenter, ad minus in Pascha, Eucharistiae sacramentum, nisi forte de proprii sacerdotis consilio ob aliquam rationabilem causam ad tempus ab ejus perceptione duxerit abstinendum. Alioquin et vivens ab ingressu ecclesiae arceatur, et moriens Christiana ca[C]reat sepultura. Unde hoc salutare statutum frequenter in ecclesiis publicetur, ne quisquam ex ignorantiae caecitate velamen excusationis assumat. Si quis autem alieno sacerdoti justa de causa voluerit sua confiteri peccata, licentiam prius postulet et obtineat a proprio sacerdote, cum aliter ipse illum non possit solvere vel ligare. Sacerdos autem sit discretus et cautus, ut more periti medici ‘superinfundat vinum et oleum vulneribus’¹⁶ sauciati, diligenter inquirens et peccatoris circumstantias et peccati, quibus prudenter intelligat quale ei debeat praebere consilium, et cujusmodi remedium adhibere, diversis experimentis utendo ad sanandum aegrotum. Caveat au[D]tem omnino ne verbo, aut signo, aut alio quovis modo prodat aliquatenus peccatorem, sed si prudentiori consilio indiguerit, illud absque ulla expressione personae caute requirat. Quamobrem qui peccatum in poenitentiali iudicio sibi detectum praesumpserit revelare, non solum a sacerdotali officio deponendum decrevimus, verum etiam ad agendam perpetuam poenitentiam in arctum monasterium detrudendum.”¹⁷

12. Lateran IV, canon 16. 13. Assisius (assized): someone who draws an annuity, or “assisia,” from a church. 14. contingit] contigit CM 15. 21] 12 CM 16. Cf. Luke 10.34. 17. Lateran IV, canon 21.

unless for a valid reason of fear they have to change their habit. On no account should they wear brooches or sashes having gold or silver ornament, just as they should not wear rings except as befits the dignity of their office.”

IX. *Concerning who may minister in divine [offices].*

Furthermore, sons of priests should not minister to their fathers in divine offices, nor should they stay with their fathers who have care of souls or who have assises of our church. Moreover, we strictly prohibit all priests from admitting laymen or women to serve at the altar, but rather they should have a cleric in a tonsure and a suitable habit.

X. *That the canon “everyone of both sexes” should be observed.*

Because, however, the judgment not passed by one’s own judge does not hold, we strictly prohibit any priest without care of souls or not obtaining our permission from hearing confessions, loosing, and binding in the city and diocese of Nicosia unless an occasion of unavoidable necessity requires this. For from this it happens that the faithful are deceived, prejudice and scandals grow, and contempt of the keys [of St Peter] arises. Accordingly, “everyone of the faithful of both sexes should, after he has reached the age of discretion, faithfully confess all his sins at least once a year to his own priest in private. And he should make an effort to fulfill the penance imposed on him as best he can, receiving the sacrament of the Eucharist at least at Easter, unless perhaps on the advice of his own priest, for some good reason, he should be led to abstain from receiving for a time. Otherwise, [if this is not observed], when alive he should be kept from entering the church and when dead he should be deprived of Christian burial. Therefore this salutary statute should be publicized in the churches frequently so that no one can take shelter in the excuse of blind ignorance. If, however, someone should wish to confess his sins to an alien priest for a good reason, he should apply for and obtain permission beforehand from his own priest, since otherwise he [the alien priest] cannot loose or bind him. The priest should be discreet and cautious, so that like an experienced doctor he should ‘pour in oil and wine’ [cf. Luke 10.34] to the wounds of the injured, diligently investigating the circumstances of both the sinner and the sin, from which he should prudently understand what advice he ought to give him and what sort of remedy he should employ, using a variety of experiments to heal the sick. He should be wholly on his guard, however, so that he does not somehow betray the sinner by words, or signs, or any way whatsoever, but if he should need more prudent advice, let him seek it without making any mention of the person [of the sinner]. Wherefore we resolve that he who dares to reveal a sin disclosed to him in the tribunal of penance should not only be removed from the priesthood but also be shut up in a closed monastery to do perpetual penance.”

XI. *De iis quibus clerici confiteri debent.*

Volumus etiam ut omnes clerici tam civitatis quam dioecesis Nicosiensis, exceptis personis, canonicis, et aliis clericis maioris ecclesiae, confessori uni vel pluribus quos ad hoc de[7/314]putabimus sua confiteantur pec[E]cata; et ut cura diligens adhibeatur circa illos qui saltem¹⁸ semel in anno sua neglexerint confiteri peccata; et ut circa eos servetur poena constitutionis praedictae.

XII. *Ut infirmi prius provideant animae quam corpori.*

[mg: Later. IV, cap. 22] “Cum corporalis infirmitas saepe proveniat ex peccato, dicente Domino languido quem sanaverat [mg: Ioan. 5], ‘Vade, et amplius noli peccare, ne deterius aliquid tibi contingat’,”¹⁹ moneantur subditi ut statim in principio infirmitatis, cum infirmus compos est mentis, advocetur medicus animarum, et facta confessione de peccatis integre, recipiatur salus mentis et corporis Eucharistiae sacramentum. Vocatus autem sacerdos ad infirmum sine mora vadat ad eum, quia si propter ejus moram aut defectum aliquid sinistrum [2379A] contingat, gravissime punietur. Moneantur etiam laici ut tempestive, de die videlicet, et antequam multum gravetur infirmus, sacerdotem requirant, ne eorum culpa infirmus sine confessione aut viatici perceptione decedat, quia qui in hoc culpabilis fuerit, gravissime peccat, et acrius punietur.

XIII. *Ut pro corporali salute nihil suadeatur aegroto in periculum animae.*

“Cum autem anima sit multo preciosior corpore [mg: Later. IV, cap. 22], sub interminatione anathematis prohibetur ne quis pro corporali salute aliquid aegro suadeat quod in periculum animae convertatur.”²⁰ Unde qui Christia[B]nus videri et esse voluerit sortilegos fugiat et divinos, ne esse de schola diaboli comprobetur.

XIV. *Ut nemo utatur medico infideli.*

Prohibemus etiam districte ne quis Christianus sanus aut infirmus medicum advocet infidelem, Iudaeum videlicet aut Saracenum, sed nec ab eo, vel de ejus consilio, medicinam aliquam recipiat, quia hoc pia consideratione in sacris canonibus prohibetur. Nam ex hoc contingit nostram fidem haberi despectui, cum ipsi Iudaei vel Saraceni hujusmodi Christianorum uti ministerio dedignentur, et reputent [C] propter hoc offendere suam legem.

XV. *Ut haeretici omnes denunciuntur excommunicati.*

Denuncientur etiam frequenter excommunicati ipso jure “omnes haeretici, quocumque nomine censeantur,”²¹ et quod haeretici sunt omnes illi qui “de sacramentis ecclesiasticis aliter credunt aut praedicant quam Romana ecclesia

18. saltem *omit* CM 19. Lateran IV, canon 22; John 5.14 20. Lateran IV, canon 22. 21. Lateran IV, canon 3.

XI. Concerning those to whom clerics must confess.

We also want all clerics both of the city and the diocese of Nicosia, except the dignitaries, canons, and other clerics of the Great Church, to confess their sins to one or more confessors whom we will appoint for this purpose. And we want careful attention to be given to those who neglect to confess their sins at least once a year, and we want the punishment of the aforesaid regulation to be applied to them.

XII. That the sick should look after their souls before their bodies.

"Since bodily infirmity often arises from sin, as the Lord said to the invalid whom he had healed, 'Go and sin no more, lest some worse thing happen to thee'" (John 5.14), our subjects should be admonished that right at the onset of the infirmity, when the sick person is still of sound mind, they should summon a doctor of souls, and when the sick person has made a full confession of his sins, he should receive the salvation of the mind and body, the sacrament of the Eucharist. The priest who is summoned to the sick person should go to him without delay, because if anything untoward should happen because of his delay or neglect, he will be punished most severely. Laymen should also be warned that they should ask for a priest quickly, namely on the same day, and before the sick person becomes much worse, lest by their sin the sick person should die without confession or without receiving what he needs for his departure, because whoever is culpable in this matter sins very gravely and will be punished most harshly.

XIII. That nothing for the purpose of bodily health should be prescribed to the patient that leads to peril for the soul.

Moreover, "since the soul is far more precious than the body, it is forbidden under threat of anathema for a doctor to prescribe something to a patient for bodily health that leads to peril for the soul." So anyone who wishes to be and to be considered Christian should avoid soothsayers and diviners, lest he be acknowledged as a member of the school of the Devil.

XIV. That no one should have recourse to an infidel physician.

We also strictly prohibit any Christian, healthy or ill, from summoning an infidel physician, namely Jew or Saracen, nor shall [the Christian] receive any medicine from [the infidel] or by his counsel, because the holy canons prohibit this, after pious consideration. For from this it happens that our faith comes to be viewed with contempt, since the Jews or Saracens themselves scorn the use of the Christians' ministration of this sort, and consider it therefore an offense to their law.

XV. That all heretics should be declared excommunicated.

"All heretics, under whatever names they may be known," shall be frequently denounced as excommunicates *ipso iure*. And [it shall be proclaimed] that heretics are all those who believe or preach other than "what the Roman Church

praedicat et observat"; et qui Romanam ecclesiam non credunt esse omnium ecclesiarum caput atque magistram, ac dominum papam successorem esse beati Petri, et in terris vicarium Iesu Christi; insuper et hi Christiani qui vendunt ferrum vel lignamina Saracenis, vel qui in Saracenorum piraticis navibus aut aliis vasis regi[D]men aut curam gubernationis exercent, vel quocunque officio utuntur in eis.²² [7/315]

XVI. *De contrahentibus clandestina matrimonia.*²³

Illi etiam denunciuntur frequenter qui clandestina matrimonia contrahunt, vel eis intersunt, vel consilium aut auxilium ad haec praebent, defraudant decimas, assumptam religionem propria autoritate dimittunt, ut caveant ne propter hoc vinculum excommunicationis incurrant. Sacerdotem praeterea qui clandestinum matrimonium celebraverit, Missam cantaverit, aut benedictionem – immo verius [E] maledictionem – fecerit, decernimus perpetuo carceri mancipandum, quem capiendi et ad nos ducendi, sine verberibus aut corporis laesione, cuilibet Christiano auctoritatem concedimus. Denuncietur et publice et frequenter quod laici qui in huiusmodi matrimoniis contrahendis, vel contra interdictum ecclesiae, culpabiles inventi de caetero fuerint, quod ex quo Dei timor aut poenae pecuniariae ipsos a malis huiusmodi non compescit,²⁴ poenis gravioribus puniuntur. [2380A]

XVII. *De pueris a laicis in necessitate baptizandis, et quod Confirmationis et Extremae unctionis sacramentum recipiant.*

[1] Doceantur praeterea laici ut, cum necessitas occurrerit, vir vel mulier qui praesens fuerit praeponat nomen puero et dicat: "Ego te baptizo in nomine Patris, et Filii, et Spiritus sancti, amen." Et post haec verba, si supervixerit puer, ad presbyterum deferatur, qui supplebit alia sicut decet.

[2] Item, moneantur laici ut sacramentum Confirmationis recipiant, et cum infirmi fuerint, extremam recipiant unctionem.

XVIII. *Ante matutinas et Primam dicta vel audita [B] sacerdos non celebret, sed nec nisi unam in die Missam dicat.*

Item, districte praecipimus ne quis sacerdos Missam celebret nisi prius audiat aut dicat matutinale servitium atque Primam, excepto die nativitatis Dominicae. Et nisi causa necessitatis suadeat, sufficit sacerdoti semel in die unam Missam solummodo²⁵ celebrare.

XIX. *De reverentia in elevatione hostiae, et cum ad infirmum defertur.*

[1] Item, sacerdos quilibet frequenter doceat ple[C]bem suam ut, cum in

22. Cf. Lateran IV, Holy Land Decrees; *Synodicum Nicosiense* C.1, 3, 7, and 8. 23. Cf. Lateran IV, canon 51; *Synodicum Nicosiense* C.18 (and 19). 24. compescit] compescir L 25. solummodo] solummodo CL

preaches and observes concerning the ecclesiastical sacraments,” and who do not believe that the Roman Church is the head and the mistress of all churches, and that the Lord Pope is the successor of Saint Peter and the vicar of Jesus Christ on earth. Moreover, these Christians who sell iron and timber to the Saracens, or who hold the post of shipmaster or have control of or take any other office on the Saracens’ pirate ships or other vessels, [shall be proclaimed excommunicated].

XVI. Concerning those who contract clandestine marriages.

Also to be denounced frequently are those who contract clandestine marriages, or take part in them, or who furnish advice or assistance in them, who cheat in paying tithes, who abandon on their own authority the religion they have accepted, so that they take heed lest they incur the fetters of excommunication because of it. Furthermore, we resolve that the priest who celebrates a clandestine marriage, performs Mass, or gives a benediction, or more truly malediction, should be given up to perpetual incarceration, and we grant to every Christian the authority to capture him and bring him to us, without whipping or injury to the body. It should also be proclaimed publicly and frequently that, from now on, laymen who are found to be culpable in the contracting of clandestine marriages of this sort, or against the Church’s interdict, will be punished in more serious ways, since the fear of God or of financial punishment does not restrain them from evils of this sort.

XVII. Concerning children who in cases of necessity are baptized by laymen, and that [laymen] should receive the sacraments of Confirmation and Extreme Unction.

[1] Furthermore, laymen should be taught that when necessity arises, a man or a woman who is present should give a name to the child and say, “I baptize you in the name of the Father, and of the Son, and of the Holy Spirit, amen.” And after these words, if the child remains alive, he should be brought to a priest who will supply the rest as is proper.

[2] Again, laymen are to be admonished to receive the sacrament of Confirmation, and, when they are sick, to receive Extreme Unction.

XVIII. A priest should not celebrate Mass before saying or hearing Matins and Primes, and he should perform only one Mass per day.

Again, we strictly order that no priest shall celebrate Mass unless he first hears or says the Matins service and Prime, except on Christmas day, and unless impelled by reason of necessity, it is sufficient for a priest to celebrate Mass only once in a single day.

XIX. Concerning reverence in the raising of the host, and when it is brought to the sick.

[1] Again, every priest should teach his people often that when the host of

celebratione Missarum elevatur hostia salutaris, se reverenter inclinent. Idem facient cum eam portat presbyter ad infirmum, quam in decenti habitu, supposito mundo linteamine, ferat manifeste ac honorifice ante pectus cum omni reverentia et timore. Et ipse sacerdos dicat aut cantet aliquos psalmos, ita quod audiat, et clericus respondeat semper lumine praecedente, cum sit candor lucis aeternae, ut ex hoc apud omnes fides et devotio augeatur. Hujus autem mandati puniri debent graviter transgressores.

[2] Item, quod omnis qui fidelis et catholicus vult reputari, ante quorum domus²⁶ Eucharistia portatur, accendat candelas ante domos ipsorum, donec sacerdos transitum [716] fecerit.

[3] Item, monemus et inducimus ob salutem animarum [D] sua[316]rum, et nihilominus in honore fidei Christianae praecipiendo mandamus, quod omnes Graeci et praelati seu sacerdotes aliarum²⁷ nationum quae Christianae religionis nomen colunt, moneant et inducant eorum plebem et populum, cum in ecclesiis Latinorum elevatur in altari hostia Eucharistiae, reverentiam exhibere inclinando se et capita eorum discooperiendo,²⁸ et quod idem faciant quando per sacerdotem ad infirmos portatur, et quando legunt evangelium.

XX. *Contra tibicines et cantatrices pro mortuis.*

[E] Caeterum, quia morbus quidam pestifer et infidelitati vicinus valuit in his partibus, ut videlicet in exequiis mortuorum, in domibus, ecclesiis, et coemeteriis, tibicines quae lugubre canunt, quas “cantatrices” vocant, advocentur, quae non solum turbant Divina, verum etiam provocant seu excitant alias verbis vanis ac cantibus, et paganorum ac²⁹ Iudaeorum ritui consonis, ad plorandum, verberandum, et lacerandum se ipsas, hoc, ne fiat de caetero, districtissime et sub³⁰ excommunicationis vinculo prohibemus, inhibentes omnibus tam presbyteris quam aliis clericis ne hujusmodi funeris sepulturae intersint, nec officium celebrent, aut crucem deferri faciant, postquam intellexerint in domo ubi funus fuerat, vel in ecclesia, cantatrices hujusmodi extitisse. Quas, si de caetero contra³¹ [2381A] hanc nostram prohibitionem fecerint, faciemus capi, verberari, et poni in scala, et demum in carcerem detrudi donec, poena docente, discant quantum deliquerunt, et de caetero ab hujusmodi abstinere. Mulieribus etiam aliis omnibus atque viris prohibemus ne eas advocent, aut eis dent aliquid propter hoc, et ne mulieres in coemeteriis aut domibus ad plorandum conveniant, quia hic mos est infidelium, et paulatim ad infidelitatem adducit, dum contra Apostolum tristantur sicut caeteri qui de resurrectione spem non habent, cum in morte fideles deberent consolationem suscipere et gaudere cum domino nostro Iesu Christo. [B]

26. domus] domos M 27. aliarum] aliorum L 28. discooperiendo] discoperiendo CL 29. cantibus et paganorum ac *omit by homeoteleuton* CM 30. sub] sibi C 31. contra *omit* CL (L has typographical error before folio change)

salvation is raised in the celebration of Masses, they should bow in reverence. They shall do the same when the priest carries [the host] to the sick, which [host], in a fitting habit, he should carry on a clean piece of linen, plainly and with honor before his breast with all reverence and respect. And the priest himself should say or sing some Psalms so that he is heard, and a cleric should respond with the light always going before, since it is the brilliance of the Eternal Light, so that by this the devotion of all the faithful is strengthened. Those who disobey this order must be punished severely.

[2] Again, [the priest should teach that] all people in front of whose houses the Eucharist is borne should light candles in front of their houses until the priest has passed, if they wish to be considered faithful and Catholic.

[3] Again, we admonish and exhort, for the salvation of their souls, and we also order, for the honor of the Christian faith, that all Greek prelates or priests and those of other nations who cherish the name of the Christian religion should admonish and exhort the common people and the populace to show reverence when the host of the Eucharist is raised at the altar in the churches of the Latins, bowing and uncovering their heads, and to do the same when a priest brings [the host] to the sick and when they read the Gospel.

XX. *Against flute players and singers for the dead.*

In addition a certain sickness, destructive and close to infidelity, is strong in these areas, namely that in the funeral rites for the dead, in houses, churches, and cemeteries, they summon flute players who play the mourning tune, whom they call "singing women." These women not only disturb the divine service, but, with words and incantations that are vain and in agreement with the ritual of pagans and Jews, they even provoke or excite other women to wail and to beat and wound themselves. So that this does not occur any more, we most strictly prohibit this under the bonds of excommunication, prohibiting all, both priests and clerics, from taking part in burial rites of this sort and from celebrating the office or having the cross brought, after they have learned that there were singing women of this sort in the house or in the church where the funeral was held. And if from this point on these [singing women] should go against our prohibition, we shall have them captured, beaten, and put on the rack, and then thrown into prison until they learn from the instruction of punishment how much they have transgressed and to abstain from this sort of activity from then on. We also prohibit all other women and men from summoning them, or giving them any remuneration for this, and [we prohibit] women from gathering in cemeteries or houses to wail, because this is the way of the infidels and gradually leads to infidelity, when against the Apostle they sorrow as do others who have no hope of resurrection, because in death the faithful should find consolation and be joyful with our lord Jesus Christ.

XXI. *Ut constitutiones legati servantur.*³²

Et ne acta agere videamur, ordinationes seu constitutiones venerabilis patris nostri Odonis, Dei gratia Tusculani episcopi, apostolicae sedis legati, quas idem in nostra ecclesia edidit, in quibus continentur multa quae ad ecclesiae honestatem ac morum et salutem pertinent animarum, praecipimus inviolabiliter observari.

XXII. *Ut omnes habeant has constitutiones scriptas, et ante praestitam obedientiam nullus celebret.*

Ut autem transgressores presbyteri nullam excusationem habere valeant circa praedicta et sequentia [C] ignorantiam praetendentes, praecipimus omnibus presbyteris qui in nostra civitate vel dioecesi ubicumque cantant vel cantaverint, ut has constitutiones infra mensem in scriptis habeant, et ut sibi eas semel quolibet mense legant. Sed nec aliquis presbyter in civitate aut dioecesi audeat celebrare qui nobis aut praedecessoribus nostris non praestiterit obedientiam prout decet. [7/317]

XXIII. *De poena eorum qui se eodem tempore ad duo servitia obligant.*

Sacerdotum insuper avaritiam refraenantes, inhibemus ne quis presbyter qui recipit pro uno anniversario stipendia vel pro alio servitio assidue exequendo [D] interim ad simile vel aliud se obliget in parte temporis vel in toto. Quod si fecerit, et id quod male accepit restituet et ad eleemosynam solvet tantumdem.

XXIV. *De sacerdotibus qui cantant militibus aut dominabus.*

Sacerdotibus etiam qui militibus cantant aut dominabus praecipimus ut dies quibus jejunia Christianis ab ecclesia indicantur eis annuncient et ipsi jejunent, et³³ non jejunantes acrius reprehendant, et quod in prima septimana Quadragesimae de solvenda decima integre inducere debeant et monere sub poena excommunicationis. [E]

XXV. *De poena eorum qui in exequiis aliquid recipiunt et finem non expectant.*

Eos vero presbyteros aut clericos qui in obsequiis [mg: corr: exequiis] vel officiis pro defunctis cereos vel candelas recipiunt, praecipimus finem servitii expectare, alioquin et quod acceperint restituent et tantumdem. Et volumus inviolabiliter observari quod nullus clericus audeat vel praesumat rapere candelas de manibus dantium in funere, seu ejus occasione, sub poena nostro arbitrio inferenda. [2382A]

XXVI. *De poena clericorum de nocte euntium.*

Quia vero qui male agit odit lucem, omnibus clericis inhibemus districte ne

32. Cf. *Synodicum Nicosiense* E. 33. et omit CM

XXI. *That the regulations of the legate should be observed.*

And lest we should seem to make acts [that have been made already], we order that the ordinances or regulations of our venerable father Eudes, by the grace of God bishop of Tusculum, the legate of the Apostolic See, which he published in our Church, in which many things that pertain to the decency of morals of the Church and the salvation of souls are contained, are to be observed without violation.

XXII. *That all should possess these regulations in writing and that no one should celebrate [Mass] before showing his obedience.*

But so that priests who disobey and feign ignorance concerning what has been said and what follows are unable to have any excuse, we order that all priests who say or will say [Mass] anywhere in our city or diocese should have these regulations in writing within a month, and that they should read them to themselves once a month. Nor should any priest dare to celebrate Mass in the city or diocese who has not shown obedience to us or to our predecessors as is fitting.

XXIII. *Concerning the punishment of those who commit themselves to two services at the same time.*

Moreover, to control the avarice of priests, we prohibit any priest who receives payments for an anniversary or for perpetually performing another service from concurrently committing himself to a similar or different service for part or all of the time. And if he should do so, he shall both return what he wickedly received and pay the same amount in alms.

XXIV. *Concerning priests who perform services for knights or ladies.*

We also order that priests who perform services for knights or ladies should announce to them the days that the Church has designated as fasts for Christians, that they themselves should fast and they should severely reprimand those who do not fast, and that they should induce them to pay their tithes in full in the first week of Lent, warning them on pain of excommunication.

XXV. *Concerning the punishment of those who receive something for performing funeral rites and do not wait until the end.*

We order that priests or clerics who receive wicks or wax candles for services for the dead are to wait until the end of the service, otherwise they shall return double what they received. And we want it to be observed without violation that no cleric shall dare or presume to grab candles from the hands of those who are giving them at the funeral or on the occasion of the funeral, the punishment to be left to our judgment.

XXVI. *Concerning the punishment of clerics who go out at night.*

Because he who does evil hates the light, we strictly prohibit all clerics from

vadant de nocte, maxime post tertiam pulsationem. Quod si inventi fuerint, licentiam damus custodibus civitatis ut eos capiant salva manu et detineant usque mane, nobis quanto citius praesentandos. Et quia mulieres nihilo minus adhuc in domibus vel coemeteriis ad carmen lugubre conveniunt, in contemptum Dei et suarum periculum animarum, omnibus sacerdotibus districte praecipimus ne, praesente aliqua muliere quam contra praedictam prohibitionem fecisse sciverit, aut pro certo intellexerit, Missam audeat celebrare, caventes [B] attente ne circa hoc praetendant crassam ignorantiam vel supinam, si districtam voluerint effugere ultionem.

XXVII. *Statutum legati Odonis.*

[1] Venerabili patri H[ugoni], Dei gratia archiepiscopo Nicosiensi, Odo, miseratione Divina Tusculanus episcopus, apostolicae sedis legatus, salutem et sinceram in Domino caritatem. Vobis autoritate qua fungimur districte praecipiendo mandamus quatenus in majori ecclesia Nicosiensi, et in omnibus aliis ecclesiis in regno Cypri constitutis, statutum³⁴ quod nuper in Ioppe edidimus publicari solemniter facia[C]tis, cujus statuti tenor talis est:

[2] "Venerabilibus in Christo patribus, patriarchis, archiepiscopis, episcopis, abbatibus, prioribus, tam exemptis quam non exemptis, ecclesiarum rectoribus et capellanis tam exem[7/318]ptorum quam non exemptorum, in nostra legatione constitutis, Odo, miseratione Divina Tusculanus episcopus, apostolicae sedis legatus, salutem in Domino sempiternam. Cum salus animarum omni lucro temporali et quaestui merito debeat anteponi, quidam tamen, sicut nobis innotuit, suae avaritiae consulere cupientes, impediunt vel impediri procurant quominus Saraceni seu alii infideles quos in captivitate detinent, vel qui eorum potestati seu dominio sunt subjecti, instruantur in fide et regenerentur baptismatis sacramento, licet di[D]cti Saraceni et alii nondum adepti baptismatis sacramentum, fidem catholicam confitentes, instanter petant ablui lavacro salutari, quod sacramentum nulli fidem confitenti et idem sacramentum postulanti convenit denegari, hinc est quod nos, inhumanitati seu impietati eorum salubrem cupientes adhibere medelam, autoritate qua fungimur districtius inhibemus et irrefragabili constitutione sancimus ne quis in nostra legatione constitutus de caetero impediatur vel impediri procuret quominus Saraceni sclavi seu quicumque alii nondum renati baptismatis sacramento, qui fidem catholicam confitentes, sacramentum baptismi sponte petierint, baptizentur, salvo in omnibus et per

34. statutum] sttatutum L

going out at night, especially after the third toll of the bell. And if they should be found, we grant permission to the keepers of the city to seize them without doing them harm and to detain them until morning, presenting them to us as quickly as possible. And, moreover, because women still congregate in houses and cemeteries for the mourning song, in contempt of God and to the peril of their souls, we strictly prohibit all priests from daring to celebrate Mass in the presence of any woman whom they know or have learned for certain to have gone against the aforesaid prohibition. The priests should take special care not to show gross or negligent ignorance about this, if they wish to escape strict vengeance.

XXVII. *The statute of Eudes the legate.*

[1] Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to his venerable father Hugh, by the grace of God archbishop of Nicosia, greetings and sincere love in the Lord. By the authority we are exercising, we strictly order and command that you solemnly make public, in the Great Church of Nicosia and in all other churches that are in the Kingdom of Cyprus, the statute that we made in Jaffa not long ago, the tenor of which statute is as follows:

[2] "Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to his venerable fathers in Christ who are in our legation, the patriarchs, archbishops, bishops, abbots, priors, both exempt and not exempt, the rectors and chaplains of the churches both of those who are exempt and not exempt, never ending greetings in the Lord. The salvation of souls must rightly be put before every temporal profit and gain. Nevertheless, as we have learned, some men, who desire to feed their own avarice, place obstacles or have obstacles placed in the way of Saracens or other infidels whom they hold in captivity or who are subject to their power or dominion, so that they are not instructed in the faith and reborn with the sacrament of Baptism, even though said Saracens and others who have not yet undergone the sacrament of Baptism but who profess the Catholic faith are earnestly seeking to be cleansed in the saving bath. It is not proper to deny a sacrament to anyone professing the faith and desiring the same sacrament. Therefore, desiring to apply a healthful remedy to the inhumanity and impiety of these men, we, by the authority with which we are charged, strictly prohibit and, by this indisputable regulation, forbid anyone who is within our legation from placing obstacles in the future or having obstacles placed in the way of [the baptism of] Saracen slaves or any other slaves, who have not yet been reborn in the sacrament of Baptism but who profess the Catholic faith, so that they are not

omnia debito servitutis quod eo[E]rum dominis alias competit in eisdem, quia per hoc non intendimus illis qui baptismum susceperint libertatem aliquam indulgere. Quod si forte aliqui contra inhibitionem et statutum nostrum ausu temerario praesumpserint³⁵ sclavum Saracenum seu quemcumque alium nondum baptizatum, per se vel per alium, a sacramento huiusmodi prohibere, postquam baptizandorum voluntas super hoc fuerit patefacta, censem eos ipso facto excommunicationis vinculo innodatos. Et ne in posterum aliquis praetextu ignorantiae ab observatione huiusmodi statuti nostri se valeat excusare, et ut infideles ad fidem catholicam liberius et facilius attrahantur, volumus et manda[2383A]mus vobis, in virtute obedientiae, firmiter injungentes ut bis singulis annis, videlicet in ramis palmarum et in epiphania Domini, vos et successores vestri hoc statutum nostrum in ecclesiis vestris publicetis, vel publicari solemniter faciatis, tenorem nihilominus statuti ejusdem in libris ecclesiarum vestrarum conscribi ad perpetuam rei memoriam facientes. Datum in Ioppe, anno Domini MCCLII, Nonas Ianuarij.”

[3] Nihilominus tamen volumus et praecipimus ut in ramis palmarum et in epiphania Domini vos et successores vestri, sicut in antedicto statuto plenius continetur, statutum ipsum in ecclesia vestra et in aliis locis vobis subjectis publicari solemniter faciatis, tenorem nihilominus statuti ejusdem in libris ipsarum ecclesiarum conscribi ad perpetuam rei me[B]moriā facientes. Datum in Ioppe, anno Domini MCCLII, quarto Nonas Martij.

[4] Item, anno Domini MCCLIII, decimo quarto Kalendas Iulij, in synodo ab eodem domino Hugone, Nicosiensi archiepiscopo, in Nicosiensi ecclesia publicatae fuerunt infra scriptae duae constitutiones et postea populo sequendae.

XXVIII. *Statuta duo Hugonis archiepiscopi.*

1. Ne laïcorum insolentia invalescat, quae jam in tantam prorupit audaciam ut pluries [7/319] intrantes Nicosiensem ecclesiam dum celebrantur Divina, vel fit aliqua executio officii pastoralis, publice conclaman[C]tes, praelato, sacerdotibus, et aliis clericis ecclesiaeque ministris, ipsique loco, et divino cultui non modicas injurias importarint, statuimus ut quicumque laïcus aut clericus de caetero praedictam Nicosiensem ecclesiam aut aliam quamcumque nostrae civitatis sive dioecesis, in quibus cum pace et quiete vota competit reddere ac celebrari Divina, intrans aliquid injuriae importaverit praelato, sacerdotibus, aliisque ipsarum ecclesiarum clericis ac ministris, seu ipsis locis aut Divino

35. praesumpserint] praesumpserit M

baptized. This does not apply to any matters in which they owe service that otherwise pertains to their lords, because we do not intend by this to grant any freedom to those who undergo baptism. If anyone, either himself or through someone else, should presume, by some rash venture and against our injunction and statute, to keep from baptism a Saracen slave or any other slave who is not yet baptized, after the will of those who are to be baptized is made known in this matter, we decree that he is bound by the chains of excommunication by that very fact. And so that no one in the future should be able to excuse himself from observing this statute of ours on the pretext of ignorance, and so that the infidels may be attracted more freely and easily to the Catholic faith, we want and command, firmly imposing this on you in virtue of obedience, that you and your successors publicize or solemnly have made public this statute of ours in your churches twice each year, namely on Palm Sunday and on the Lord's Epiphany. Moreover, you are to have the text of the statute written in the books of your churches for the permanent record. Given in Jaffa, on the fifth of January, in the year of the Lord 1253."

[3] Also, we want and order that you and your successors make public the same statute on Palm Sunday and on the Lord's Epiphany, just as is more fully stated in the aforesaid statute, in your church and in other places subject to you. Moreover, you are to have the text of the statute written in the books of the same churches for the permanent record. Given in Jaffa, on the fourth of March, in the year of the Lord 1253.

[4] Again, on the eighteenth of June, in the year of the Lord 1253, in a council, the two below written regulations were made public in the Church of Nicosia by the same Lord Hugh, archbishop of Nicosia, and afterwards presented to the people:

XXVIII: Two Statutes of Archbishop Hugh.

1. The insolence of lay people has burst forth in such audacity that often they enter the Church of Nicosia while divine offices are being celebrated or during a performance of some pastoral office, and openly shout loudly, and cause no small harm to the prelate, priests, and other clerics and ministers of the church, and to the place itself and the worship of the divine. Lest this insolence gain strength, we decree that from now on, if anyone, be he a lay person or a cleric, upon entering the aforesaid Church of Nicosia, or any other church of our city or diocese where it is fitting to recite prayers and celebrate the divine offices in peace and quiet, should cause any sort of harm to the prelate, priests, and other clerics and ministers of those churches or to those places or the worship of the

cultui, vel conclamationibus, seditionibus, aut tumultu fuerit usus ibidem, ipso facto vinculum excommunicationis incurrat. Nos enim ipsum, quicumque fuerit ille, cum omnibus [D] sibi assistentibus, vel ad hoc dantibus auxilium, consilium, vel favorem, autoritate Dei omnipotentis excommunicamus, et excommunicatum usque ad satisfactionem condignam praecipimus publice nunciari, poenas quas secundum jura civilia tales incurrunt suis iudicibus relinquentes.

2. Non sine³⁶ admiratione referimus quod aliqui religiosi et utinam non omnes civitatis Nicosiensis, falcem in alienam messem mittentes, parochianos Nicosiensis ecclesiae, quae unica est in civitate parochialis ecclesia Latinorum, passim recipiunt ad Divina. Quos etsi non reprimat regula naturalis, videlicet ut quod sibi fieri nolunt non faciant aliis, saltem jura canonica ab huiusmodi eos revocare deberent, quae prohibent alienos parochianos ad Divina recipi diebus Dominicis et fe[E]stivis, et ne in religiosorum coenobiis missae publicae, id est publice celebrentur, nec in servorum Dei secessibus et eorum receptaculis ulla popularis conventus occasio praebeatur, quia eorum non expedit animabus. Nos autem, volentes eorum providere salutem et etiam honestati, et ne Nicosiensis ecclesia, diebus saltem Dominicis et Festivis, debito honore privetur, aut “sicut tugurium in cucumerario”³⁷ relinquatur, ne hoc de caetero fiat districtius inhibemus.

XXIX. *Contra usurarios.*

[1] Sacrorum canonum conditores summo studio usque hodie vigilarunt extirpare ad agro Dominico zizaniam usurariae pravitate, clavis et apertis con[2384A]stitutionibus usurariorum perfidiae ac fraudibus obviantes. Sed quia hominum vitiosa natura prona est ad malum, et semper ad sua scelera pallianda formas novas properat invenire, jam eo res devenit ut publice usurarii fiant contractus sub palliatione simulatae venditionis, dum is qui mutuo indiget pecunia fit emptor pannorum, cerae, serici, cujuscumque alterius rei, pro precio longe majori quam res tunc valeat, quam in continenti, quia pecunia numerata indiget, vel venditori vel alii vendere compellitur, precio quod tunc valeat longe minori, sicque dum is qui indiget fit emptor ac venditor, in utroque decipitur contractu ut ad eum praeter usuras quae ultra statutum terminum sub ficto poenae nomine currunt, vix perveniat precii dimidium emptae rei, aut rei venditae simulate. [B] Crevit etiam in tantum fraus huiusmodi ut alioquin nulla res vendatur aut ematur, sed tantum verbalis fiat contractus nominatis mercibus quae nec videntur nec etiam habentur aut traduntur. Compellitur [7/320] etiam quandoque is qui pecunia indiget confiteri se recepisse mutuo centum, solvenda usque ad talem diem sub poena, cum revera non nisi octoginta receperit. Et alioquin coram persona publica fit totius summae nominatae traditio, cum tamen

36. sine] fine L 37. Isaiah 1.8.

divine, or should carry on there with loud shouts, objections, or disturbances, he shall incur the chains of excommunication by that very fact. For by the authority of God Almighty we excommunicate him, whoever he may be, along with all those helping him or giving him aid, advice, or support in this matter. And we order that the excommunicate should be denounced publicly until he makes proper amends. We leave to his judges the punishment that such men incur according to civil laws.

2. It is not without astonishment that we relate that some of the regular clergy of the city of Nicosia – and we hope not all – apply their scythe to the harvest that belongs to others and freely admit to [their] divine offices the parishioners of the Church of Nicosia, which is the sole parochial church of the Latins in the city. Even if the natural rule does not restrain them, namely that they should not do unto others what they do not wish to be done unto them, at least they must be diverted from such things by the canon laws that prohibit them from accepting alien parishioners at the divine offices on Sundays and feast days. And these [laws] prohibit public masses from being celebrated, for the public, that is, in the cloisters of the regular clergy, and they disallow any occasion of public assembly in the shelters and places of solitude of God's servants, because it is not good for their souls. As we wish to look out for their salvation and even decency, and so that the Church of Nicosia is not deprived of its rightful honor, at least on Sundays and feast days, or left "like a hut in a garden of cucumbers" [Isaiah 1.8], we very strictly forbid this from happening from now on.

XXIX. *Against usurers.*

[1] Those who compose the sacred canons have until the present day, with the strongest zeal possible, worked to remove the weed of the usurious wickedness from the Lord's field, opposing the deception and treachery of usurers with clear and open regulations. But the corrupt nature of men is prone to evil and is always quick to find new shapes to disguise its wicked deeds. It has gone so far that usurious contracts are made in public under the guise of a simulated sale, when he who needs to borrow money becomes the buyer of cloths, wax, silk, or any other thing, for a price much greater than the thing is then worth; thereupon, as he needs cash, he is forced to sell the goods to the seller or someone else for a price that is much less than the thing is then worth, so that when he who is in need becomes both buyer and seller, he is deceived in both contracts. Thus scarcely half of the price of what is pretended to be sold or bought reaches him, apart from the fact that the interest amounts to more than the legal limit under the fictitious name of a 'penalty'. Moreover, the deception of this sort has grown so large that generally no item is sold or bought, but merely a verbal contract is made with names of wares that are not seen, nor even possessed, nor traded. Also, sometimes he who needs money is forced to profess that he receives a loan of one hundred, to be paid on such and such a day with threat of a penalty, when in truth he only receives eighty. Generally the handing over of the entire sum

ex pecunia debitor illi correcepiens partem resistuat ex conducto. Et ut dicamus breviter, semper hic agitur ut solummodo tempus vendatur. Nos vero, prout ad nos pertinebat, volentes morbo tam pesti[C]fero obviare qui quorundam faciente malitia serpere coepit ut cancer in Cypro, et praesertim in civitate Nicosiensi, jam dudum publice contractus huiusmodi fieri nihilominus [mg: forte: vetuimus], et sub poena excommunicationis omnibus notariis et aliis scriptoribus ne eos scriberent, atque militibus et aliis omnibus ne in contractibus praedictis, quos, ut vulgariter loquamur, “barrattas” appellant, fidejussores se constituerent aut debitores pro aliis. Similiter et mediatoribus, quos “sensales” appellant, ne tractarent aut promoverent conventiones contractuum praedictorum. Caeterum “curantes Babylonem non est curata”³⁸ fiunt etenim et vigent fraudes huiusmodi sicut prius, propter quod compellimur contra pestem hanc ma[D]nu insurgere graviori. Quare inhibemus districte ne de caetero tales vel similes in civitate et dioecesi Nicosiensi fiant contractus, eos qui contrafecerint, sive principales, sive mediatores aut scriptores, seu fidejussores aut debitores, excommunicationis vinculo innodantes, nihilominus contractus praedictos ipso jure nullos esse pronunciantes, ut nec agi nec excipi valeat ex eisdem, nec iudex ecclesiasticus etiamsi se contrahentes ecclesiasticae jurisdictioni subjiciant, aut jurent, ex eisdem audiat conquerentes aut excipientes, aut iudex etiam saecularis.

[2] Edita est et recitata publice haec constitutio in ecclesia sanctae Sophiae³⁹ populo post sermonem a reverendo patre domino Hugone, Dei gratia Nicosiensi archiepiscopo, anno Domini MCCLVII, pridie Kalendas Octobris. [E]

XXX. *Contra avaritiam clericorum.*

[1] Ad reprimendam avaritiam ministrorum ecclesiae, tam scriptura Divina quam sacrorum canonum instituta attentius vigilarunt: [mg: Ierem. 6] “Scientes quod a minore usque ad maiorem omnes avaritiae studebant, a propheta usque ad sacerdotem cuncti faciebant dolum, curantes contritionem populi cum ignominia, et dicentes ‘pax, pax’, cum tamen non esset pax.”⁴⁰ Sed heu! ex medicina invaluit morbus, ut recte dicatur: [mg: Rom. 5] “Lex subintravit ut abundaret delictum.”⁴¹ In tantum enim in nostris ecclesiis invaluit ista pestis ut rectissime de iis dicatur: [mg: Isa. 1]: “Omne caput languidum, et omne cor [2385A] moerens: a planta pedis usque ad verticem, non est in eo sanitas: vulnus et livor, et plaga tumens non est circumligata nec curata medicamine, neque fota oleo.”⁴² [mg: Ierem. 51] “Curavimus,” enim, “Babylonem et non est curata,”⁴³ quin potius ipsius plaga facta est desperata. Ecce enim quod de nostris subditis cum cordis amaritudine referimus jam adeo devenere effrontes ut etiam in loco

38. Jeremiah 51.9. 39. Sophiae] et add M 40. Jeremiah 6.13-14. 41. Romans 5.20. 42. Isaiah 1.5-6. 43. Jeremiah 51.9.

specified occurs before a public official, although the debtor repays part of the money he is receiving as part of the agreement. And to speak briefly, this is always done in a way that only time is sold. Insofar as this matter involved us, however, we wished to prevent this destructive disease, which began to spread like a cancer in Cyprus, and especially in the city of Nicosia, through the malice of certain men, so for a long time now we have forbidden these contracts from being made in public and, on pain of excommunication, [we have forbidden] all notaries and other scribes from writing them, and knights and all other people from acting as guarantors or debtors for others in the aforesaid contracts, which they call “exchanges,” to speak in the vernacular, and the mediators, whom they call “brokers,” from handling or promoting the agreements of the above mentioned contracts. However, trying to cure Babylon, “she was not healed” [Jeremiah 51.9]; indeed such deceptions still take place and are as rampant as before. Because of this we are compelled to stand up against this plague with a heavier hand. Therefore, we strictly prohibit such contracts or similar ones from being made in the city and diocese of Nicosia from this time forth, and we bind with the chains of excommunication those who go against this, be they the principal actors, the mediators, scribes, guarantors, or debtors. Moreover, we declare the aforesaid contracts null and void by this very law, such that it is not allowed to take action or to make exceptions on this basis, nor for an ecclesiastical judge – or even a secular judge – to give a hearing to those who make complaints and exceptions, even if those making the contracts come under ecclesiastical jurisdiction or swear an oath.

[2] The reverend father, Lord Hugh, by the grace of God archbishop of Nicosia, wrote and publicly recited this regulation to the populace, in the Church of Holy Wisdom, following the sermon, on the thirtieth of September, in the year of the Lord 1257.

XXX. *Against the greed of clerics.*

[1] Both divine scripture and the instructions of the sacred canons have ceaselessly looked to restrain the greed of the ministers of the Church, knowing that “from the least of them even to the greatest, all are given to covetousness; and from the prophet even to the priest, all are guilty of deceit. And they healed the breach of my people disgracefully, saying ‘Peace, peace’. And there was no peace” [Jeremiah 6.13-14]. But alas! The sickness was strengthened by the medicine, so that it is rightly said, “the law entered in that sin might abound” [Romans 5.20]. For this plague became so potent in our churches that it is said of them most correctly, “The whole head is sick, and the whole heart is sad. From the sole of the foot unto the top of the head, there is no soundness therein: wounds and bruises and swelling sores. They are not bound up, nor dressed nor fomented with oil” [Isaiah 1.5-6], for “we would have cured Babylon, but she is not healed” [Jeremiah 51.9], but rather her pestilence was made hopeless. For look how, with an exasperated heart, we report that our subordinates have become so shameless

et de loco sacro, cum pro mortuis exequiae celebrantur, oblationes de manu laïcorum ipsas ad altare deferentium, in conspectu populi, rapaces lupi non recipiunt, sed rapiunt impudenter, non verentes crimen sacrilegii incurrere sic aperte. Cumque ad domum alicujus defuncti cum cruce processio debeat proficisci, tot illuc non propter [B] Deum aut devotionem [7/321] aliquam, sed propter candelas, cruces undique deferuntur, quod laïci non sufficiunt deferentium extinguere sitim, nec possunt eorum molestias tolerare ingredientium se tam ardentem ut eos quasi opprimant et seipsos ut etiam, quod est horribile auditu, praeter eorum clamores validos, cruces ipsae adinvicem collidantur. Quidam etiam presbyteri et alii clerici, dum defuncto commissarii seu executores fuerint cum sociis aut soli, quae committuntur eisdem infideliter distribuunt, negligenter aut nullo modo requirunt, quodque pessimum est, aliquando retinent sibi ipsis.

[2] Nos autem, etsi praedictorum incurabiles aestimemus excessus, nihilominus tamen, si forte possimus proficere [C] poenae metu, volumus experiri, statuentes ut quicumque presbyter vel clericus, in nostra dioecesi, in ecclesia, aut coemeterio, circa res oblacioni deputatas violentiam aliquam commiserit, praeter crimen sacrilegii quod ipsum ex hoc incurrere declaramus, tribus mensibus ab officio et beneficio, ipso facto, suspensionis poenam incurrat, et quod sic abstulit, in duplum restituere teneatur. Cum autem processio petita fuerit ut ad domum eat defuncti, omnibus laïcis districte inhibemus ne pro aliquibus crucibus, ut ita loquamur, alicui tradant aliquid nisi duobus prebyteris assisiis ecclesiae nostrae, quibus volumus ea quae consueta sunt dari, ita tamen quod nominatim exprimant quot crucibus et pro quibus etiam dant. Inhibemus etiam aliquid pro aliqua cru[D]ce dari cum qua non venerint clericus et sacerdos, qui nihilominus funus prosequatur cum sua cruce usque ad locum ubi fuerit tumultandum. Expletis vero exequiis, duo praedicti assisij reddant fideliter ea quae acceperunt tradenda, ita quod de hoc nullum scandalum oriatur. Ad haec inhibemus quibuscumque commissariis, seu executoribus, presbyteris, aut clericis nostrae dioecesis ne, corpore tradito sepulturae, de commissaria seu executione, sine nostra scientia vel successorum nostrorum, se in aliquo intromittant. Haec autem non ex eo dicimus quod inde velimus aliquid nisi solum obviare malitiis et ut fidelius ac celerius pareatur voluntatibus defunctorum. [E]

[3] Lata et recitata in scriptis in palatio archiepiscopali a reverendo patre, domino Hugone, Dei gratia Nicosiensi archiepiscopo, praesentibus dominis Guillelmo archidiacono et Roberto cantore Nicosiensi, et universo clero civitatis ejusdem, anno Domini MCCLIII, die nono intrante Ianuario.

[4] Editio concilii generalis ad dictam constitutionem celebrati per reverendum patrem, dominum patrem Heliam, Dei gratia archiepiscopum

that even in and around hallowed ground, in front of the people, while funeral rites are being celebrated for the dead, these rapacious wolves do not receive the offerings from the hands of the lay people who carry them to the altar, but rather they seize them shamelessly, not fearing to incur the charge of sacrilege so openly. And when the procession is supposed to march with the cross to the house of someone who is deceased, crosses are carried by everyone on the way, not because of God or any devotion, but for the sake of candles. The laymen are unable to extinguish the thirst of those who bear the crosses, nor can they endure the harassment of those who carry themselves so passionately that they drown out, as it were, the others and themselves, and so that, a thing that is horrible to hear, besides their loud cries, the crosses collide into each other. Also, while they are deputies or executors for the deceased, either with associates or alone, certain priests and other clerics distribute what is committed to them unfaithfully, make inquiries negligently or not at all, and, what is worse, sometimes retain it for themselves.

[2] Even if we consider the offenses of the aforesaid [clerics] incurable, nevertheless, if perhaps we can do some good, we want them to experience some dread of punishment. We resolve that should any priest or cleric in our diocese commit any impetuous act in church or in the cemetery with respect to the things deposited as offerings, besides the charge of sacrilege, which we declare him to incur by this, by that very fact he shall incur the penalty of suspension from office and benefice for three months. And let him be held to repay double that which he laid hands on. But when someone asks for a procession to go to the house of a deceased person, we strictly prohibit all laymen from handing over anything to anyone for any crosses, to put it like that, except to two priests assized in our church, to whom we wish the customary things to be given, although they should say expressly for how many crosses and also on whose behalf they are giving. We also forbid anything to be given for any cross that is not accompanied by a cleric and a priest, who moreover should follow the corpse with his cross to the place where it is to be buried. When the rites have been completed, however, the aforesaid two assized clerics should faithfully hand over what they have received for passing on, so that no scandal arises concerning this. In addition, we prohibit any deputies or executors, priests or clerics of our diocese from involving themselves, once the body has been put in the grave, in the commission or execution of the will in any way without our knowledge or our successors' knowledge. But we do not say these things because we want anything, except to prevent misdeeds, and so that the wills of the deceased are carried out more faithfully and quickly.

[3] This was entered in the books and read aloud in the archiepiscopal palace by the reverend father Lord Hugh, by the grace of God archbishop of Nicosia, with lords William the archdeacon and Robert the cantor of Nicosia and the entire clergy of the same city present, on the ninth day of January, in the year of the Lord 1254.

[4] A statement with respect to the above regulation at the general council proclaimed by the reverend father, lord Father Elias, by the grace of God

Nicosiensem, “quod si quis contrarium fecerit, ipso facto sententiam excommunicationis incurrat, ad hoc ut commissariorum malitiis obvietur et celerius impleantur decedentium voluntates.”⁴⁴ [2386A]

XXXI. *De Assisiorum officiis.*

Statuimus ut assisius qui de aliquo sibi ascripto defectum fecerit, in tribus denariis pro vice qualibet puniatur. Assisius vero ante ascriptus qui in diebus novem lectionum, Matutinis, majori Missae, vel Vesperis defuerit, poena simili puniatur. Item, Assisius non ascriptus, si in diebus profestis, Matutinis, [7/322] majori Missae, vel Vesperis defuerit, in duobus denariis puniatur. Similiter, pro singulis aliis horis minoribus praeter quam pro una, in duobus denariis puniatur. Cujus poenae medietatem percipiat qui defectus scripserit, et aliam habeat qui supplebit [B] defectum. Item, lecta epistola majoris Missae, nullus intret chorum. Item, nullus de choro stet prope ecclesiam, vel intret eam dum cantatur in choro, in suo habitu saeculari. Item, illi qui solummodo intrant chorum cum aliquid ibidem dandum fuerit, tunc non recipiantur ibidem. Item, Assisius qui defectum fecerit, die facti defectus, vel saltem in crastinum, proponat et ostendat excusationem, si quam habet legitimam, alioquin nullatenus ulterius audiatur.

XXXII. *Constitutio de horis officii Divini.*

In nomine Domini, amen. Anno Domini MCCLV, die decima intrantis mensis Ianuarii. Cum nos, Hu[C]go, miseratione divina Nicosiensis archiepiscopus, nostram ecclesiam visitantes, invenerimus ipsam et ipsius personas in pluribus reformatione ac correctione indigere, volentes super hoc providere, prout pertinet ad officium nostrum, imprimis quia invenimus quod clerici ecclesiae officium beatae virginis et servitium defunctorum quasi omnino negligunt, cum praedicta fiunt non intrantes chorum, vel si ibi fuerint, exeuntes, praecipimus eis districte in virtute obedientiae ut hoc de caetero corrigant et emendent, ad praedicta servitia veniendo et in choro quousque finita fuerint permanendo. Si quis autem hujus praecepti nostri transgressor fuerit, pro certo teneat quod si ad nos pervenerit, non pertransibit impune. Et hoc idem praecipimus de hora pri[D]ma, ad quam paucissimi veniunt aut consueverunt venire. Horam autem completorii inter canonicas reputantes volumus et mandamus ut quicumque de caetero eidem horae defuerit, scribatur in defectum et contra eum exigatur poena, prout de horis aliis est statutum. Quia vero invenimus quod aliqui, dum sunt in choro, rixantur, clamant, et strepitum faciunt, et adinvicem colloquuntur in contemptum Dei et cultus Divini, turbationem hujusmodi de caetero fieri prohibemus, praedicantes ei quem invenerimus transgressorem quod poena docebit, quam gravis sit excessus turbatio Divinorum.

44. *Synodicum Nicosiense* L.VII.

archbishop of Nicosia: "that if anyone should go against it, let him incur the sentence of excommunication by the very fact, in order to prevent the misdeeds of deputies and to fulfill more quickly the wills of the deceased."

XXXI. Concerning the offices of those who are assized.

We decree that an assized who fails to attend to something assigned to him will be penalized three denarii each time. A pre-assigned assized who, on days of nine readings, is absent from Matins, high Mass, or Vespers, will be punished with the same penalty. Again, an unassigned assized who is absent on common days from Matins, high Mass, or Vespers will be penalized two denarii. Similarly, for [missing] each minor hour after the first, they will be penalized two denarii. He who makes note of absences will have half of the penalty, and he who makes good the absence will have the other half. Again, when the epistle of high Mass has been read, let no one enter the choir. Again, let no one of the choir stand near the church or enter it with his secular habit while there is singing in the choir. Again, those who enter the choir only because something is to be given there should not be allowed there. Again, an assized who fails to attend should offer and provide an excuse on the day of non-attendance or at least the following day, if he has a legitimate one, otherwise he should not be listened to afterwards.

XXXII. Regulation concerning the hours of the Divine office.

In the name of the Lord, amen. The tenth day of January, 1256. While visiting our church we, Hugh, by divine grace archbishop of Nicosia, found it and its dignitaries in need of reform and correction on many points, and we wish to concern ourselves with this inasmuch as it pertains to our office. First, because we have found that clerics of the church almost completely neglect the Blessed Virgin's office and the service of the dead, because they do not enter the choir when the aforesaid services are being held, or if they are there, they leave, we strictly order them to correct and emend this from now on, in virtue of obedience, by going to the aforesaid services and staying in the choir until they are finished. But if someone should transgress our command, let him know with certainty that if it comes to our attention, he will not go unpunished. And we order the same thing for the first hour, to which very few come or are accustomed to coming. Moreover, we consider the hour of Compline among the canonical ones, and we want and command that, from now on, whoever is not present at this hour shall be cited for non-attendance, and a punishment will be applied against him, in the way it was decreed for the other hours. But because we have found that when some men are in the choir they quarrel, shout, and make noise, and talk to each other in contempt of God and of the divine worship, we forbid this sort of disturbance from happening from now on, warning him whom we would find transgressing that the punishment will teach how serious an offense it is to disturb the divine offices.

[Text B]

CONSTITUTIO INSTRUENS GRAECOS
[E] et alios, per diversa capitula, ut infra.

[*mg*: Esse hoc provinciale concilium, cujus haec praefatio est, ad quod sequentia deinde capitula pertinent, eique praefuisse Raphaëlem, Nicosiensem archiepiscopum, patet ex sequentibus.]

[a] “Ecce isti de longe venient, et ecce illi ab aquilone et mari, et isti de terra australi.”⁴⁵ “Leva in circuitu oculos tuos, et vide. Omnes isti congregati sunt; venerunt tibi. ‘Vivo ego’, dicit Dominus, quia omnibus his velut ornamento vestieris, et circumdabis eos tanquam sponsa.”⁴⁶ In Isaïa 49 verba sunt Dei Patris ad Filium, vel ad ecclesiam, de diversis mundi partibus, linguis, et ritibus, in unitate fidei congregandam, ne se videlicet oblivioni reputet traditam, consolantis eandem. Unde ibidem aliquantulum supra dixit Sion, id est, ecclesia, [*mg*: Isa. 49] “Dereliquit me Dominus, et Dominus [2387A] oblitus est mei.” Sic respondet ei Dominus: [*mg*: Ibid.] “Numquid potest oblivisci mulier infantem suum, ut non misereatur filio uteri sui? Etsi illa oblita fuerit, ego tamen non obliviscar tui. Ecce in manibus meis descripsi te,”⁴⁷ dicit Iesus ad ecclesiam, cum fuerint cruci affixae, “non possum ergo tui oblivisci,” sicut [7/323] nec id quod in manibus habetur, quia videtur frequenter. Unde subditur, [*mg*: Ibid.] “Muri tui,” id est, apostoli et alii praelati qui te muniunt, “coram⁴⁸ me sunt.”⁴⁹ Sed timendum valde quod sequitur: “Venerunt structores tui, destruentes te,”⁵⁰ seu, mali praelati qui te construere debebant, quia ad construendum te sunt positi et te destruunt, et dissipant pravae vitae exemplo, et [*mg*: Hebr. 13] “doctrinis variis ac peregrinis,”⁵¹ ut ait apostolus ad Hebraeos 13, [B] videlicet fideles ab unitate ecclesiae separantes, docentes eos traditiones hominum et non Dei, et contra legem Dei suos perversos ritus, et justitias etiam statuentes. Dominus ergo non obliviscitur suae ecclesiae, sed eam destruunt, et quasi derelinquere faciunt, et in oblivionem venire, qui eam aedificare tenentur.

[b] Alloquitur autem Dominus suam ecclesiam de diversis mundi partibus, linguis, et ritibus, et [*mg*: Act. 2⁵²] “ex omni natione quae sub coelo est,”⁵³ ut in actibus apostolorum legitur, congregandam, dicens ei, [*mg*: Isa. 1] “Ecce isti de longe venient,”⁵⁴ ipsam monens ad fidei unitatem, et ut [*mg*: Act. 4] “multitudinis credentium,” quanquam diversarum nationum, “sit cor unum et

45. Isaiah 49.12. 46. Isaiah 49.18. 47. Isaiah 49.14-16. 48. coram] cora CM. 49. Isaiah 49.16. 50. Isaiah 49.17. 51. Hebrews 13.9. 52. 2] 21 C. 53. Acts 2.5. 54. Isaiah 49.12.

[Text B]

REGULATION INSTRUCTING THE GREEKS
and Others via Various Headings, as below.

[*mg*: It is clear from what follows that this is a provincial council – of which this is the preface – to which the following chapters pertain, and at which Archbishop Ranulph of Nicosia presided.]

[a] “Behold these shall come from afar, and behold these from the north and from the sea, and these from the south country” [Isaiah 49.12]. “Lift up thy eyes round about, and see. All these are gathered together; they are come to thee. ‘I live’, sayeth the Lord. Thou shalt be clothed with all these as with an ornament, and as a bride thou shalt put them about thee” [Isaiah 49.18]. These words in Isaiah 49 are from God the Father to the Son, or to the Church – which is to be gathered together from the various areas, languages, and rites of the world, in the unity of the faith – comforting it so that it will not think itself as left behind in oblivion. Thus a little before the above passage Sion, that is the Church, said: “The Lord hath forsaken me, and the Lord hath forgotten me.” This is how the Lord answered him: “Can a woman forget her infant, so as not to have pity on the son of her womb? And if she should forget, yet will not I forget thee. Behold, I have graven thee in my hands” [Isaiah 49.14-16]. Jesus says to the Church, when his hands have been fastened to the cross: “Therefore I cannot forget you,” just as [one cannot forget] what is held in one’s hands, because it is often to be seen. And so it is added: “Thy walls,” that is, the apostles and other prelates who defend you, “are before me” [Isaiah 49.16]. But one should be very fearful of what follows: “Thy builders are come; they shall destroy thee” [Isaiah 49.17], or, the prelates who were supposed to build you are evil, because they have been put here to build you and they destroy you and they lead you away by the example of their wicked life and “various and strange doctrines,” as the Apostle says in Hebrews 13[.9], namely by separating the faithful from the unity of the Church, teaching them the ways of men and not of God, and even establishing their perverse rites and ordinances against God’s law. Therefore the Lord does not forget His Church, but the ones who are obliged to edify it are destroying it and, as it were, forsaking it and leading it to oblivion.

[b] But the Lord comforts his Church, which is to come together from diverse areas, languages, and rites of the world, and “out of every nation under heaven,” as one reads in the Acts of the Apostles [2.5], saying to it, “Behold, these shall come from afar” [Isaiah 49.12], urging it to the unity of the faith and [urging] that “of the multitude of believers,” of however diverse nations, “there be but one

una anima,”⁵⁵ ut in acti[C]bus apostolorum habetur. [*mg*: Rom. 10] “Et non sit distinctio Iudaei et Graeci,”⁵⁶ ut legitur ad Romanos 10, nec una natio dicat, [*mg*: I Cor. 1] “Ego sum Pauli; alia, ego Apollo; alia, ego⁵⁷ sum Christi,”⁵⁸ ut sic “dividatur Christus,” ut legitur ad Corinthios I, et inter fideles schismata fiant, et efficiantur aliqui peiores militibus crucifixoribus Christi, qui Domini tunicam inconsutilem scindere noluerunt.⁵⁹

[c] Non igitur insultet in ecclesia Dei Graecus Latino vel e contra, sed pari voto, tanquam veri adoratores, glorificent Patrem communem omnium qui in coelis est, qui [*mg*: I Tim. 2] “vult omnes homines salvos fieri et ad agnitionem sui venire,”⁶⁰ ut legitur ad Timotheum, et qui audit, dicat “veni,” cuilibet indistincte, ne cum Phariseo pereat caeteros aspernante, et se non esse sicut caeteri homines existimante. [*mg*: Psal. 44] “Assistit itaque regina,” id est sancta ecclesia, erecta per [D] spem, non curva per timorem, et prompta ad serviendum “a dextris Dei,” seu in potioribus bonis aeternis, jam in spe, licet non adhuc in re. Assistit autem non nuda, sed “in vestitu,” id est, in connexu et ornatu virtutum, “deaurato” per sapientiam, quae est aeternorum contemplatio et praegustatio; “deaurato,”⁶¹ per aurum enim intelligitur illa sapientia qua sapiunt nobis aeterna. Vel assistit in vestitu deaurato, id est, in operibus caritatis. Opera enim vestimenta dicuntur in Apocalypsi: [*mg*: Apoc. 16] “Beatus qui vigilat, et custodit vestimenta sua, ne nudus ambulet.”⁶² Per aurum vero intelligitur caritas, quae optima est inter virtutes, sicut aurum inter metalla. Haec autem regina, [E] id est ecclesia, est “circumdata varietate” multiplici, videlicet linguarum. Idem loquebantur variis linguis apostoli. Item, varietate diversarum consuetudinum, quae non sunt contra fidem, aut contra bonos mores. Nil enim, ut sacri canones attestantur, officit in ecclesia Dei consuetudo diversa in ejusdem fidei unitate. Virtutum etiam varietate haec regina ornatur, quia, ut ait apostolus, [*mg*: I Cor. 15] “Stella differt a stella in claritate.”⁶³ Item, varietate personarum diversarum facierum, sive diversorum officiorum. Unde apostolus: [*mg*: Ephes. 4] “Quosdam dedit⁶⁴ apostolos, quosdam prophetas, alios vero evangelistas, alios autem pastores atque doctores.”⁶⁵ Quae omnia ad laudem hujus reginae, sive ecclesiae, non est dubium pertinere. Quibus omnibus varie[2388A]tatibus velut ornamento vestitur easque, ut dictum est, sibi quasi sponsa circumdat.

[d] Haec et multa alia considerantes, nos, Rapha[7/324]el, miseratione Divina Nicosiensis archiepiscopus, quia circa nationem Graecorum et Syrorum regni Cypri, quorum curam licet immeriti tenemur gerere ex susceptae officio dignitatis, tum ignorantia, tum simplicitate, et, quod est deterius, eorum qui eos instruere tenebantur faciente malitia, multa quae divisionem sapiunt ab ecclesiae unitate et quae nutriunt pericula animarum plurima inolevisse invenimus, ne

55. Acts 4.32. 56. Romans 10.12. 57. Apollo; alia ego *omit by homeoteleuton* CM 58. I Corinthians 1.12-13. 59. Cf. John 19.23-24. 60. I Timothy 2.4. 61. Psalm 44.10. 62. Revelations 16.15. 63. I Corinthians 15.41. 64. dedit] dedis L 65. Ephesians 4.11.

heart and one soul,” as one finds in the Acts of the Apostles [4.32], and “that there be no distinction of the Jew and the Greek,” as one reads in Romans 10[.12]. Nor should one nation say, “I am of Paul,” another, “I am of Apollo,” another, “I am of Christ,” so that “Christ is divided,” as we read in I Corinthians [1.12-13], and so that schismata occur among the faithful and some are made worse than the soldiers who were Christ’s crucifiers who did not want to tear the Lord’s seamless garment [John 19.23].

[c] Therefore, let no Greek insult a Latin in God’s Church, nor vice-versa, but in concord, like true worshippers, let them glorify the common Father of all men, Who is in Heaven, Who “wills all men to be saved and to come to the knowledge” of Him, as we read in [II] Timothy [2.4], and Who says “Come,” to everyone without distinction so that he will not perish with the Pharisee who rejects the rest and does not consider himself to be like other men. “The queen,” that is the Holy Church, “stands” upright through hope, not bent over in fear, ready to serve “on God’s right hand” [Psalm 44.10], or among the stronger eternal goods, now in hope, although not yet in reality. But she did not stand nude, but “in clothing,” that is, joined and decorated with the virtues, “gilded” through wisdom, which is the contemplation and foretaste of eternal things; “gilded,” for by “gold” one understands that wisdom by which eternal things are known to us. Or she “stood in gilded clothing,” that is, in the deeds of love, for deeds are called clothes in Revelations [16.15]: “Blessed is he that watcheth and keepeth his garments, lest he walk naked.” But by “gold” one understands love, which is the greatest of the virtues, just as gold is among the metals. Moreover this queen, that is the Church, is “surrounded with” a great “variety,” namely of languages. The apostles said the same thing in various languages. Again, with a variety of diverse customs that are not against the faith or against good morals. For as the sacred canons attest, a different custom in the Church of God is no hindrance to the unity of the faith. This queen is also decked with a variety of virtues, because as the Apostle says, “star differeth from star in glory” [I Corinthians 15.41]. Again, with a variety of persons of diverse faces, or diverse offices. Thus the Apostle says, “He gave some as apostles, and some as prophets, and other some as evangelists, and other some as pastors and doctors” [Ephesians 4.11]. And there is no doubt that all these things pertain to the praise of this queen, or the Church, as she is clothed in all these varieties as in ornaments, and which, as is said, she shall put about herself as a bride [cf. Isaiah 49.18].

[d] We, Ranulph, by divine mercy archbishop of Nicosia, have found that many things which suggest division from the unity of the Church and which foster many dangers to their souls have arisen among the nation of the Greeks and the Syrians of the Kingdom of Cyprus, out of the ignorance, simplicity, and, what is worse, of the misdeeds of those who were supposed to instruct them whose care we, although unworthy, are obliged to bear as a duty of the rank we

sanguis eorum de nostris manibus requiratur, si videntes venire contra gregem, nostrum gladium⁶⁶ non insonuerimus buccina, cum simus in specula consti[B]tuti, convocatis etc. [*mg*: Convocatis nimirum suffraganeis suis], cogitavimus prout possumus contra morbos huiusmodi remedium adhibere. Scribentes aliqua breviter circa haec, et ea tam Graecis episcopis quam efforos [*mg*: An forte clerici aliqui ἔφοροι dicti?⁶⁷], et aliis regni praedicti Graecis clericis, in Graeca littera scripta tradentes, quorum tenorem inferius duximus annotandum.

1. *Quatuor episcopi Graeci sunt in Cypro relictī, et quod sit eorum officium.*

[a] In primis volumus et mandamus episcopis Graecis ut diligenter considerent⁶⁸ quod sit eorum officium et causam quare, cum Latini episcopi sint per [C] Romanam ecclesiam in Cypri insula ordinati, ipsi in eadem insula sint tolerati, ut et ea ad quae tenentur securius et diligentius exequantur, et illa quae ad ipsos non pertinent, non usurpent. Quae duo habentur in concilio generali, cuius verba sunt haec:

[b] [*mg*: Later. IV. cap. 9] “Quia in plerisque partibus intra eandem civitatem atque dioecesim permixti sunt populi diversarum linguarum, habentes sub una fide varios ritus et mores, districte praecipimus ut pontifices huiusmodi civitati sive dioecesi provideant viros idoneos, qui secundum diversitatem rituum et linguarum Divina officia illis celebrent⁶⁹ et ecclesiastica sacramenta ministrent, instruendo eos verbo pariter et exemplo. Prohibemus autem omnino ne una eademque civitas sive dioecesis diversos pontifices habeat, tanquam unum corpus diversa capita, [D] quasi monstrum. Sed si propter praescriptas causas urgens necessitas postulaverit, pontifex loci catholicum praesulem nationibus illis conformem provida deliberatione constituat sibi vicarium in praedictis, qui ei per omnia sit obediens et subjectus. Unde si quis aliter se ingesserit, excommunicationis se noverit mucrone percussum. Et si nec sic resipuerit ab omni ministerio ecclesiastico deponendum, adhibito si necesse fuerit brachio saeculari ad tantam insolentiam repellendam. Circa hoc salvum moderamen sedis apostolicae post secutum.”⁷⁰

[c] Ex praedicta constitutione liquido patet quod sit episcopo[E]rum Graecorum officium sub illis quorum sunt obsequio deputati (Divina officia celebrare, et ministrare ecclesiastica sacramenta, eosque instruere verbo pariter et exemplo) et quae sit causa quare sint instituti, scilicet⁷¹ urgens necessitas in praedictis. Patet

66. Lege: hostium gladium H. *add in margin* CM 67. Hesychius ἔφορος, ἐπίσκοπος, ἐπιστάτης, etc. H. *add in margin* CM. 68. considerent] considerent L 69. illis celebrent] il liscelbrent L 70. Lateran IV, canon 9. 71. scilicet] scilicet L

have assumed. In view of these and many other matters, so that their blood will not be required from our hands if, seeing the sword of the enemies going against the flock, we should not sound the horn, since we are standing guard in the watch tower, we – with our suffragans – have devised as best we can a remedy to fight against diseases of this sort. We are briefly writing some things concerning this, and giving them written in the Greek script both to the Greek bishops and the ephors and other Greek clerics of the aforesaid kingdom. We have directed that their tenor be written down below.

1. There are four Greek bishops left in Cyprus, and what their duty is.

[a] First of all we want and command the Greek bishops to consider diligently what their duty is and the reason why they are tolerated on Cyprus when Latin bishops have been established on the same island by the Roman Church, so that they carry out as peacefully and diligently as possible the things that they are obliged to do, and not usurp those things that do not pertain to them. These two items are contained in the General Council, whose words are these:

[b] “Since in many places within the same city and diocese there are people of different languages having one faith but various rites and customs, we strictly order that the bishops of these cities and dioceses provide suitable men who will, according to the different rites and languages, celebrate the divine offices for them, administer the sacraments of the Church, and instruct them by word and example. But we absolutely forbid that one and the same city or diocese have more than one bishop, one body, as it were, with several heads, which is a monstrosity. But if by reason of the aforesaid conditions an urgent necessity should arise, let the bishop of the locality after due deliberation appoint a prelate acceptable to those nations, who shall act as his vicar in the aforesaid matters and be subject to him in all things. If anyone shall act otherwise, let him consider himself excommunicated; and if even then he will not amend, let him be deposed from every ecclesiastical ministry, and if need be, let the secular arm be employed, that such insolence may be curbed. Concerning this the sound government of the Apostolic See is followed.”

[c] It is manifestly clear from the aforesaid regulation that it is the duty of the bishops of the Greeks, beneath those to whom they have been assigned in obedience, to celebrate the divine offices, administer the ecclesiastical sacraments, and instruct [the Greeks] equally by word as by example. And the reason why they have been appointed [is clear], namely the urgent need in these matters. It is also clear by whom they are to be appointed, namely by the bishop

etiam a quibus sint instituendi, quia videlicet a pontifice loci illius qui⁷² taliter se ingesserit ad praedicta. Monemus igitur ac requirimus Graecos episcopos, et eos sub interminatione Divini iudicii attestamur, ut eos quorum sunt obsequio deputati secundum sibi a Deo traditam scientiam, ut dictum est, verbo pariter et exemplo [*mg*: deest: adjuvent], sic vivendo ut Christi fideles videntes eorum bona opera glorificent, juxta verbum Christi qui in coelis est, Deum [7/325] patrem, et ut eorum comparatione caeteri Graeci dicantur⁷³ sicut beatus Petrus Iesu Chri[2389A]sti vicarius attestatur. Et ut eisdem frequenter Dei verbum proponant, ostendendo ipsis a quibus abstinere debeant, et qualia agere, quae sint mortalia peccata, et quam sit mortalis peccati⁷⁴ poena crudelis, quantaque bona per mortale peccatum perdantur. Doceant etiam eos super observatione mandatorum sive decem praeceptorum decalogi, quae videlicet sint illa et quod sine illis non est salus. Ait enim Christus in evangelio de eisdem, cuidam: [*mg*: Matth. 19] “Hoc fac et vires.” Item, “Si vis ad vitam ingredi, serva mandata.”⁷⁵ “De fornicatione autem, quam solutus cum soluta committit, quin sit mortale peccatum non est aliquatenus ambigendum, cum tam fornicarios quam adulteros a regno Dei apostolus asserat alienos,” sicut Dominus papa determinavit.⁷⁶ [B]

2. *Quod furtum sit damnable, et quod restitutio fieri debeat.*

Furtum quoque esse damnable eis ostendant. Scriptum quippe est, “non furaberis.”⁷⁷ Non enim remittitur peccatum nisi restituatur ablatum, si tamen reddi potest. In quo Graeci quasi communiter dicuntur peccare, et in quo etiam errore eorum confessores eos dicuntur fovere, pro furto nullam vel modicam poenitentiam imponentes, nec furibus restitutio[C]nem aliquam injungentes.

3. *Quod sunt septem Sacramenta.*

Instruant insuper eos super ecclesiasticis sacramentis, ostendentes eis quae sint, videlicet Baptismus, Confirmatio in fronte cum chrismate per episcopum, Eucharistia, Poenitentia, Ordo,⁷⁸ Extrema unctio per sacerdotem de oleo sancto, et Matrimonium. Denuncient etiam eis quod qui aliter de his septem sacramentis sentit quam Romana ecclesia docet et servat est haereticus iudicandus, prout constitutio Domini papae dicit.⁷⁹

4. *De Baptismo.* [D]

Instruant itaque sacerdotes vel alios, dum in necessitate baptizant, servare in baptismo verborum formam a Iesu Christo et sanctis patribus institutam, et ut sciant quod in baptismo fit⁸⁰ remissio omnium peccatorum, et ut omnino caveant

72. Hic [Hi C] aliquid deest *add in margin* CM. L has * denoting problem in text. 73. Forte: ceteri e grege ducantur, ex 2 Per 5.3 H. *add in margin* CM. Cf. I (!) Peter 5.3. 74. peccati *omit* CM 75. Matthew 19.17. 76. X.23.20. 77. Exodus 20.15. 78. Ordo] et *add* CM 79. Cf. Lucius III, Council of Verona (1184) (*Enchiridion Symbolorum*, 185-6, no. 402), but also X.23.5-11, 19, 21; C.III; A.XV; and Michael Palaeologos's profession of faith of 1267 to Clement IV (*Enchiridion Symbolorum*, 216-7, no. 465). 80. fit] sit CM

of the area who [is to take action unless the Greek bishop (?)] conducts himself according [to instruction] in the aforesaid cases. Therefore we admonish and demand that Greek bishops – and we bear this testimony to them under the threat of divine judgment – [assist] in word and by example those to whom they have been assigned in obedience, according to the knowledge given to them by God, as was said. [This is] by living such that Christ's faithful, seeing their good works, glorify God the Father, according to the words of Christ Who is in Heaven, and so that others in the flock might be led by their example, as blessed Peter, Christ's vicar, attests [cf. I Peter 5.3]. They should put forth frequently the word of God to [the other Greeks], showing them that from which they must abstain and that which they must do, what the mortal sins are, and how harsh the punishment for a mortal sin is, and how many good deeds are undone by a mortal sin. They should also teach about the observance of the ten commandments or precepts of the Decalogue, namely what they are and that without them there is no salvation. For in the Gospel Christ said of them, to a certain man: "Do this, and thou shalt live." Again, "if thou wilt enter into life, keep the commandments" [Matthew 19.17]. "But concerning the fornication that an unmarried man commits with an unmarried woman, there is no doubt but that it is a mortal sin, since the Apostle asserts that both fornicators and adulterers are outside God's Kingdom," as the Lord Pope determined.

2. That theft is damnable and that restitution must be made.

They should also show them that theft is damnable. Indeed it is written, "thou shalt not steal" [Exodus 20.15], for the sin is not forgiven unless what was taken is put back, if it can be returned. It is said that it is almost general for Greeks to sin in this respect, and their confessors are said to encourage them in their error, imposing no or very little penance for theft and not enjoining any restitution on thieves.

3. That there are seven sacraments.

Moreover, they should instruct them concerning the ecclesiastical sacraments, showing them what they are, namely Baptism, Confirmation on the forehead with the chrism by a bishop, the Eucharist, Penance, Ordination, Extreme Unction by a priest with holy oil, and Matrimony. They should also announce to them that whoever thinks otherwise than as the Roman Church teaches and observes concerning these seven sacraments is to be judged a heretic, as the Lord Pope's regulation states.

4. Concerning Baptism.

They should therefore instruct the priests, or others when they baptize in case of necessity, to observe in baptism the form of the words that Jesus Christ and the Holy Fathers established. [The priests and others] should know that in baptism the remission of all sins occurs and they should be completely on their guard so

ne pueri sine baptismo decedant. Qui enim in hoc negligentes fuerint aut remissi, gravissime delinquant et sunt acerrima poenitentia corrigendi. Praecipimus etiam eis ut sacerdotes instruant quod in unctionibus quae circa baptismum fuerint morem Romanae ecclesiae teneant et observent, videlicet, ut antequam puer baptizetur, inungat eum sacerdos oleo sancto cum pollice, crucem faciens inter scapulas et in pectore. [E]

5. *De Confirmatione.*

Postea vero puer repraesentatur episcopo vel archiepiscopo ab eodem confirmandus in fronte chrismate cruce facta, quia de his unctionibus fecimus rationem. Volumus et praecipimus quod quilibet episcopus Graecus, quolibet anno in die coenae Domini, in civitate in qua est Latinus Episcopus, chrisma conficiat balsamo [326] et [726] oleo olivarum. Similiter faciat oleum sanctum per se et oleum infirmorum per se de oleo tantummodo olivarum. Quae omnia per totum annum diligenter conservent in locis tutissimis atque mundis, taliter ut ad ea contrectanda manus temeraria extendere se non possit. Quibus inter presbyteros distributis utantur, tam in baptismo quam in Confirmatione et extrema etiam unctione. [2390A] De quibus si anno finito aliquid superfuerit, eadem die coenae qua nova conficiuntur, vetera comburantur, ipsorum pulveribus in sacrarium reconditis et projectis. Ad quae facienda, si in libris suis formas non habent scriptas, secundum quas praemissa fieri statuuntur, volumus ut eas de pontificalibus nostris accipiant et habeant penes ipsos. Aliam autem vel alio modo unctionem nolumus fieri de caetero circa puerum baptizandum, vel etiam baptizatum. Indecens enim est totum puerum inungi tam per presbyterum quam per laicos, et superstitiosum ac onerosum, et quod nulli innititur rationi. Et hoc etiam nuper Dominus papa inter alia praecepit eisdem.⁸¹ Quod si non habeant circa hujusmodi doctri[B]nam sive Romanae ecclesiae observantias, eas a nobis non differant postulare.

6. *De Eucharistia.*

[a] Admoneant etiam ipsos circa Eucharistiae sacramentum quod sive in fermento sive azymo pane conficiant, dummodo per sacerdotem fiat secundum ecclesiae formam non refert, cum Dominus papa dicat,⁸² “dummodo credant” quod utroque modo est verum corpus Christi quod de beata Virgine tra[C]xit, sine quo non est salus et per quod salvati et liberati sumus, et quod qui manducat digne, ut ipse Christus ait, habet vitam aeternam,⁸³ ideoque a Christi fidelibus haberi debet in omni reverentia et honore. Quapropter districte praecipiant tam clericis quam laicis ut, cum ad infirmos Eucharistia portatur, praesentes flectant genua et eidem reverenter inclinent, dicentes haec verba quae eos doceri volumus: “Ave salus mundi, caro munda, caro sancta, caro immaculata verus Deus, verus homo.”

81. Cf. X.23.5, but not very close. 82. X.23.10, but not very close. 83. Cf. e.g. John 6.47-52.

that children do not die without baptism. Those who are negligent or remiss in this transgress in a most serious manner and are to be corrected with the most severe punishment. We also prescribe that they teach priests that in unctions surrounding baptism they should maintain and observe the manner of the Roman Church, namely that before the child is baptized the priest should anoint him with holy oil, making a cross between the shoulders and on the chest with the thumb.

5. Concerning Confirmation.

Later the child is presented to the bishop or archbishop to be confirmed by him with the chrism in the sign of the cross on the forehead; so we give an account of these unctions. We want and order that every Greek bishop shall prepare the chrism with balsam and olive oil every year on the day of the Last Supper, in the city in which there is the Latin bishop. Similarly, he should make holy oil by himself and the oil of the sick by himself from olive oil only [cf. Lateran IV, #20]. He should keep all of these [oils] diligently throughout the year in places that are very safe and clean so that the reckless hand cannot reach and touch them. And they should use them, distributed among the priests, both in Baptism and in Confirmation and Extreme Unction. If a surplus of these [oils] remains when the year has passed, on the same day of the Last Supper on which the new [oils] are prepared, the old ones should be burned, and their ashes hidden in the sacristy and disposed of. If they do not have written in their books any procedures establishing how the aforementioned things are to be done, we want them to take them out of our pontificals and to have the [procedures] with them. But from now on we do not want a different [unction], or an unction done in a different way, on a child who is to be baptized or even one who has been baptized, for it is improper for the whole child to be anointed, both by a priest and by laymen, and it is superstitious and oppressive, and no reason supports it. And not long ago the Lord Pope commanded this, among other things, to them. And if they do not have the teaching or the observances of the Roman Church on these matters, they should not hesitate to request them from us.

[6b] But we enjoin on the bishops that they alone confer the sacrament of Confirmation, as the Lord Pope also determined.

6. Concerning the Eucharist.

[c] We also order them to observe the Lord Pope's determination of the concerning the Eucharist. He stated:

[d] "But they are not to keep the Eucharist that is consecrated on the day of the Last Supper for one year on the pretext of the sick, namely so they give communion to them from it. Nevertheless they are to be allowed to prepare the Body of Christ and to preserve it for

[b] [*mg*: Haec clausula sine dubio pertinet ad caput praecedens] Episcopis autem injungimus ut ipsi tantum hoc sacramentum Confirmationis conferant, prout etiam Dominus papa determinavit.⁸⁴

[c] Domini papae etiam circa Eucharistiam determinationem eis praecipimus observare, qui ait:

[d] "Sed Eu[D]charistiam in die coenae Domini consecratam usque ad annum, praetextu infirmorum, ut de illa videlicet ipsos communicent, non reservent. Licet [*read*: liceat] tamen eis pro infirmis ipsis corpus Christi conficere ac per 25 [*read*: 15] dies et non longioris [*read*: longiori] temporis spacio conservare, ne per diutinam ipsius reservationem, alteratis forsitan speciebus, reddatur minus habile ad sumendum, licet ejus veritas et efficacia semper eadem omnino remaneat, nec ulla unquam diuturnitate seu mobilitate [*read*: volubilitate] temporis evanescat."⁸⁵

[e] Et ut qualibet die, maxime in Quadragesima, quilibet parochialis sacerdos Missam cantet integram, secundum morem sancti Basilii et sancti Ioannis os aurei,⁸⁶ nisi fuerit legitime impeditus. In diebus vero in quibus [E] opera fiunt servilia, mane cantent presbyteri Missas suas. Nullus tamen sacerdos Missam cantare praesumat nisi prius cantaverit aut dixerit Matutinas. Examinentur etiam presbyteri [327] circa Divi[727]num officium diligenter, quia, ut intelleximus a fide dignis presbyteris, Graeci communiter parum aut nihil sciunt de horis canonicis, et maxime matutinis, et quod periculosius est, nesciunt etiam, ut dicitur, Missas suas.

[f] Volumus etiam et praecipimus ut quilibet sacerdos, qui potest, calicem habeat aureum vel argenteum, vel saltem stanneum, ad conficiendum corpus Christi honorabilem et decentem, calicibus ligneis aut terreis penitus derelictis. Corporalia vero linea decentia et munda ac pallas alteris habeant, et alia sacerdotalia indumenta; tela etiam linea alba et munda tergant calicem interius et exterius; simi[2391A]liter et involvant. Mulieres vero ad altaris servitium non admittant.

7. De Poenitentia.

[a] Quia vero circa poenitentiae sacramentum nationem Graecorum et Syriorum⁸⁷ in pluribus inordinate invenimus se habere (videlicet quod aliqui nunquam aut rarissime confitentur; item, nec proprio sacerdoti; item, et quod aliqui, obedientes⁸⁸ Romanae et Nicosiensi ecclesiae evitantes, inobedientes et de

84. Cf. X.23.6. It seems that 6.b-d should precede 6.a, and that 6.b should conclude section 5. 85. X.23.11, on which the suggested readings are based. 86. Hoc est Chrysost. H. *add in margin* CM. 87. Syriorum] Syrorum L. 88. Lege: obedire H. *add in margin* CM. (This correction seems unnecessary.)

fifteen days for the sick, and not for any longer span of time, in case perhaps its species are changed because of its long preservation and it is rendered less fit for consumption, although its truth and efficacy always remain completely the same, nor do they disappear over any duration or change of time.”

[a] Concerning the sacrament of the Eucharist, they should also warn them that as long as it is done by the priest according to the procedure of the Church, it does not matter whether they perform it with leavened or unleavened bread, since the Lord Pope states: “As long as they believe” that in both ways it is the true body of Christ, which He assumed from the Blessed Virgin, without which there is no salvation, and through which we are saved and made free, and that he who eats it, as Christ Himself said [cf. e.g. John 6.47-52], has eternal life, so that it must be held in all reverence and honor by Christ’s faithful. On account of this they should strictly order both clerics and laymen who are present to kneel when the Eucharist is carried to the sick, and bow to it reverently, saying these words, which we wish them to be taught: “Hail the world’s salvation, clean flesh, holy flesh, immaculate flesh, true God, true man.”

[e] And each parish priest should say the entire Mass every day, especially during Lent, following the manner of Saint Basil and Saint John Chrysostome, unless there is a legitimate obstacle. But on days when servile tasks are to be performed, priests should say their Masses early in the morning, but no priest should presume to say Mass unless he has sung or said Matins earlier. Also, the priests should be examined diligently concerning the divine office, because as we have come to understand from priests who are worthy of belief, Greeks commonly know little or nothing about the canonical hours, and especially Matins, and what is most dangerous, they do not even know their Masses, as is said.

[f] We also want and order that every priest who is able shall have an honorable and fitting chalice of gold or silver, or at least tin, for preparing the Body of Christ, and wooden or earthen chalices should be abandoned completely. Moreover, they should have clean and fitting linen corporals and altar robes and other priestly vestments, and they should polish the chalice inside and outside with a clean and white linen cloth and cover it in like fashion. But women should not be admitted to service at the altar.

7. Concerning Penance.

[a] Because we have found that the nation of the Greeks and Syrians is improperly disposed in many ways concerning the sacrament of Penance, namely that some of them rarely or never confess; again, [they do not confess] to their own priest; again, there are some who, avoiding [priests] who are obedient to the Roman and Nicosia Church, choose confessors who are disobedient and

haeresi notatos sibi eligunt confessores, quos non est dubium cum eisdem infectos esse haeretica pravitate), et quia contingit interdum quod sacerdotes infirmis vel non confessis, vel confessis similibus, vel dubi[B]tantes an sint confessi, praebent Eucharistiae sacramentum, circa hoc volentes apponere remedium salutare, statuimus ut quolibet anno, circa initium Quadragesimae, in qualibet parochia, legatur et exponatur populo constitutio concilii generalis, cuius tenor talis est:

[b] [mg: Conc. Later. IV, c. 21] "Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata saltem semel in anno fideliter confiteatur proprio sacerdoti et injunctam sibi poenitentiam propriis viribus studeat adimplere, suscipiens reverenter ad minus in Pascha Eucharistiae sacramentum, nisi forte de proprii sacerdotis consilio, ob aliquam rationabi[C]lem causam, ad tempus ab ejus perceptione duxerit abstinendum. Alioquin et vivens ab ingressu ecclesiae arceatur, et moriens Christiana careat sepultura. Unde hoc salutare statutum frequenter in ecclesiis publicetur ne quisquam ex ignorantiae caecitate velamen excusationis assumat. Si quis autem alieno sacerdoti voluerit justa de causa sua confiteri peccata, licentiam prius postulet et obtineat a proprio sacerdote, cum aliter ipse illum non possit absolvere vel ligare. Sacerdos autem sit discretus et cautus ut, more periti medici, 'superinfundat vinum et oleum vulneribus'⁸⁹ sauciati, diligenter inquirens et peccatoris circumstantias et peccati, quibus prudenter intelligat quale debeat ei praebere consilium et cu[D]jusmodi remedium adhibere, diveris experimentis utendo ad salvandum aegrotum. Caveat autem omnino ne verbo aut signo, aut alio quovis modo, aliquatenus prodat peccatorem. Sed si prudentiori consilio indiguerit, illud absque ulla expressione personae caute requirat, quoniam qui peccatum in poenitentiali iudicio sibi detectum praesumpserit revelare, non solum a sacerdotali officio deponendum decernimus, verum etiam ad agendam poeniten[328]tiam perpetuam in arctum monasterium detrudendum."⁹⁰ [728]

[c] Quam constitutionem tam ab episcopis quam a presbyteris, efforos,⁹¹ magistris capellanis,⁹² et laicis, Graecis et Syriis, sub poena excommunicationis praecipimus inviolabiliter observari, adjicientes [E] quod nullus sacerdos alicui

89. Cf. Luke 10.34. 90. Lateran IV, canon 21; cf. *Synodicum Nicosiense* A.X. 91. Editions have * denoting problem. Perhaps read "efforis"? 92. Probably "master chaplains" rather than the editions' "masters, chaplains." Cf. section 24 below.

whom they know to be followers of heresy, and there is no doubt that they are infected along with [their confessors] with the wickedness of heresy; and because it sometimes happens that priests offer the sacrament of the Eucharist to sick persons who have either not confessed, or who appear to have confessed, although the [priests] doubt whether they have confessed, and we wish to apply a healthy remedy to this, we have decided that every year, near the beginning of Lent, in every parish, the constitution of the General Council whose tenor follows should be read and explained to the populace:

[b] “Everyone of the faithful of both sexes should, after he has reached the age of discretion, faithfully confess all his sins at least once a year to his own priest in private. And he should make an effort to fulfill the penance imposed on him as best he can, receiving the sacrament of the Eucharist at least at Easter, unless perhaps on the advice of his own priest, for some good reason, he should be led to abstain from receiving for a time. Otherwise, [if this is not observed], when alive he should be kept from entering the Church and when dead he should be deprived of Christian burial. Therefore, this salutary statute should be publicized in the churches frequently so that no one can take shelter in the excuse of blind ignorance. If, however, someone should wish to confess his sins to an alien priest for a good reason, he should apply for and obtain permission beforehand from his own priest, since otherwise he [the alien priest] cannot loose or bind him. The priest should be discreet and cautious, so that like an experienced doctor he should ‘pour in oil and wine’ [cf. Luke 10.54] to the wounds of the injured, diligently investigating the circumstances of both the sinner and the sin, from which he should prudently understand what advice he ought to give him and what sort of remedy he should employ, using a variety of experiments to heal the sick. He should be wholly on his guard, however, so that he does not somehow betray the sinner by words, or signs, or any way whatsoever, but if he should need more prudent advice, let him seek it without making any mention of the person [of the sinner]. Wherefore we resolve that he who dares to reveal a sin disclosed to him in the tribunal of penance should not only be removed from the priesthood but also be shut up in a closed monastery to do perpetual penance.”

[c] And we order both bishops and priests, ephors, master chaplains, and laymen, Greek and Syrian, to observe this regulation without violation, on pain of excommunication. We add that no priest should give the Eucharist and other ecclesiastical sacraments to any sick person unless he establishes that [the sick

infirmis det Eucharistiam et alia ecclesiastica sacramenta nisi ei constiterit quod confessus fuerit alicui sacerdoti qui ad hoc potestatem habuerit. Qui autem contra fecerit, nostro arbitrio acrius punietur, inhibentes sub eadem poena omnibus monachis et presbyteris Graecis ac Syriis ne aliquo modo confessiones audiant, et tam clericis quam laicis ne aliquibus confiteantur, nisi iis qui nobis in nostra civitate et dioecesi ad audiendas confessiones fuerint deputati. Si quis vero contra hoc fecerit, vel semel in anno ad hoc deputato, ut dictum est, sacerdoti confessus non fuerit, et vivens ab ingressu ecclesiae arceatur et moriens Christiana careat sepultura. [2392A]

8. *Quod animarum medicus, antequam corporalis, advocetur.*

[mg: Ibid.⁹³ c. 22] “Et cum corporalis infirmitas saepe proveniat ex peccato, dicente Domino languido quem sanaverat, [mg: Ioan. 5] ‘Vade et amplius noli peccare, ne deterius tibi contingat’,”⁹⁴ “moneantur fideles ut statim in principio infirmitatis, donec infirmus compos est mentis, advocent medicum animarum, videlicet confessorem, et facta confessione integre de peccatis, recipiat infirmus Eucharistiae sacramentum.”⁹⁵ Ac demum, si opus fuerit, advocetur medicus corporalis et, si necesse fuerit, ipsum infirmum ungat oleo quod dicitur “infirmorum,” omni alia unctione penitus interdicta. [B]

9. *Quod sacerdos ad infirmum vocatus cito vadat, et laici ipsum advocent tempestive.*

“Vocatus autem sacerdos ad infirmum sine mora vadat ad eum, quia si propter ejus moram aut defectum aliquid sinistrum contingat, gravissime punietur. Moneantur etiam laici ut tempestive, de die videlicet et antequam multum gravetur infirmus, sacerdotem requirant, ne eorum culpa infirmus sine confessione aut viatici perceptione decedat, quia qui in hoc culpabilis fuerit, gravissime peccat et acrius punietur.”⁹⁶ Adjicimus tamen quod, si medicus prius ad infirmum vocatus fuerit, inducere debeat et te[C]neatur infirmum quod ante omnia advocet proprium sacerdotem cui sua confiteatur peccata, sub excommunicationis poena.

10. *Nil ad medicinam sumendum quod in periculum vertat animarum, nec eundem ad sortilegos vel divinos, nec ad medicum infidelem.*

“Cum autem anima sit multo preciosior⁹⁷ corpore, [mg: Ibid.] sub interminatione anathematis prohibetur ne quis pro corporali salute aliquid infirmo suadeat quod in periculum animae convertatur’.⁹⁸ Unde qui Christianus videri et esse voluerit, sortilegos fugiat et divinos ne esse de schola diaboli comprobetur. Pro[D]hibemus etiam districte ne quis Christianus, sanus aut

93. Ibid.] Ibid. L 94. Lateran IV, canon 22; John 5.14. 95. *Synodicum Nicosiense* A.XII. 96. *Synodicum Nicosiense* A.XII. 97. preciosior] pertiosior M 98. Lateran IV, canon 22.

person] has confessed to a priest who has the power to [hear him]. He who goes against this will be punished most harshly at our discretion. With the same punishment we restrain all Greek and Syrian monks and priests from hearing confessions in any way, and both clerics and laymen from confessing to them, unless they have been appointed by us to hear confessions in our city and diocese. But if anyone should go against this, or does not confess once a year to a priest appointed to this task, as was said, let him be prevented from entering church when alive, and let him lack Christian burial when dead.

8. *That a physician of souls should be summoned before a physician of the body.* And “since bodily infirmity often arises from sin, as the Lord said to the invalid whom he had healed, ‘Go and sin no more, lest some worse thing happen to thee’,” [John 5.14] “our subjects should be admonished that right at the onset of the infirmity, when the sick person is still of sound mind, they should summon a doctor of souls, and when the sick person has made a full confession of his sins, he should receive the salvation of the mind and body, the sacrament of the Eucharist.” And then, if it is required, a physician of the body should be called, and if need be he may anoint the sick person with the oil that is called “of the sick,” and every other unction is absolutely forbidden.

9. *That the priest who is summoned to the sick person should come quickly, and laymen should call him early on.*

“The priest who is summoned to the sick person should go to him without delay, because if anything untoward should happen because of his delay or neglect, he will be punished most severely. Laymen should also be warned that they should ask for a priest quickly, namely on the same day, and before the sick person becomes much worse, lest by their sin the sick person should die without confession or without receiving what he needs for his departure, because whoever is culpable in this matter sins very gravely and will be punished most harshly.” We add, however, that if the physician is called to the sick person before [the confessor], he ought, and is obliged, to persuade the sick person to call his own priest before all else, to whom he should confess his sins, on pain of excommunication.

10. *Nothing in the way of medicine should be taken which would lead to the peril of souls, nor should one visit soothsayers, diviners, or an infidel physician.*

Moreover, “‘since the soul is far more precious than the body, it is forbidden under threat of anathema for a doctor to prescribe something to a patient for bodily health that leads to peril for the soul’. So anyone who wishes to be and to be considered Christian should avoid soothsayers and diviners, lest he be acknowledged as a member of the school of the Devil. We also strictly prohibit any Christian, healthy or ill, from summoning an infidel physician, namely Jew

infirmus, medicum advocet infidelem, Iudaeum [329] scilicet aut Saracenum, sed nec ab eo, vel de [729] ejus consilio, medicinam aliquam recipiat, quia hoc pia consideratione in sacris canonibus prohibetur. Nam ex hoc contingit nostram fidem haberi despectui, cum ipsi Iudaei vel Saraceni in hujusmodi Christianorum uti ministerio dedignentur, et reputent propter hoc offendere suam legem.”⁹⁹

11. *Quomodo se habeat sacerdos in confessionibus.*

Confessores etiam diligenter ac benigne audiant peccatores, “infundentes,” ut dictum est, “vinum et [E] oleum vulneribus”¹⁰⁰ sauciati, hinc perterrentes, hinc per spem et veniae fiduciam erigentes, quam graviter deliquerint, quantamque poenam incurrerint, quantaque bona perdiderint, quantumque Deum offenderint, ipsis discretione debita ostendentes; et investigantes caute, ut dictum est, de circumstantiis aggravantibus culpas, loco videlicet et tempore, frequentia, studio, et personis; et ne aliquo modo, ut supra dictum est, confessionem revelent, omni diligentia praecaventes, alioquin poenam praedictam poterunt non immerito formidare.¹⁰¹ [2393A]

12. *De Poenitentia injungenda.*

[a] Qui etiam satisfactiones injungant peccatoribus secundum qualitatem delictorum et quantitatem, prout decuerit. Et non “inunctio quaedam solummodo injungatur” ad instar imperiti medici, qui uno collyrio omnium oculos vult curare, prout etiam Dominus papa determinavit.¹⁰² Confessores autem, pro simonia, furto, et usuris, pro damnabili et mortali peccato, teneantur injungere poenitentias, qui tales [*mg*: forte: nec tales] peccatores absolvant nisi restitutionem promittant, si habeant, vel cum habuerint, unde reddant. Pro simplici vero fornicatione, tanquam pro mortali et damnabili, peccatoribus injungant poenitentiam sa[B]lutarem. Et ut tollatur quidam abusus qui invaluit hactenus in populo antedicto, quod videlicet conjugato sacerdoti vel Latinus [*mg*: Mendosa haec] [*read*: nullatenus] confitentur, volumus eis ad memoriam revocare, vel potius ad eorum notitiam devenire, qualiter nuper Dominus papa circa hoc duxerit statuendum. Ait enim:

[b] “Sacerdotes quoque conjugati, et alii quibus parochiarum cura vel ecclesiarum parochialium regimen per episcopos suos committitur, licite ac libere possint parochianorum suorum confessiones audire, ipsisque poenitentiam injungere pro peccatis.”¹⁰³ [C]

13. *De sacramento Ordinis.*

[a] Ad haec volumus et districte praecipimus episcopis Graecis praedictis ut ordines conferant prout Dominus papa eis mandavit, cujus verba sunt haec:

99. *Synodicum Nicosiense* A. XIII-XIV. 100. Cf. Luke 10.34. 101. Cf. *Synodicum Nicosiense*, B.7. 102. Cf. X.23.18-19?; especially B.27. 103. X.23.18. Perhaps sections 27 and then 25 below belong here.

or Saracen, nor shall [the Christian] receive any medicine from [the infidel] or by his council, because the holy canons prohibit this, after pious consideration. For from this it happens that our faith comes to be viewed with contempt, since the Jews or Saracens themselves scorn the use of the Christians' ministration of this sort, and consider it therefore an offense to their law."

11. How the priest should conduct himself in confessions.

Confessors should hear sinners diligently and kindly, "pouring in," as was said, "wine and oil to the wounds" of the injured [cf. Luke 10.54] here terrifying, there encouraging by hope and the assurance of forgiveness, showing them with the required discretion how much they have transgressed, how much punishment they incur, how many good deeds they have lost, and how much they have offended God. They should investigate with care, as was said, the circumstances that make the sins more serious, namely the place and time, the frequency, the enthusiasm, and the persons. And they should take every precaution not to reveal the confession in any way, as was stated above, otherwise they will have reason to fear the aforesaid punishment.

12. Concerning the penance that should be enjoined.

[a] Also, they should enjoin on sinners to make amends as is proper according to the type and quantity of the sins, and "not just any kind of anointing should be enjoined," in the way of an inexperienced physician who wishes to cure everyone's eyes with one ointment. This is what the Lord Pope determined also. But confessors are obliged to enjoin penance for simony, theft, and usury, and for damnable and mortal sin, and they should not absolve such sinners unless they promise restitution, if they have it, or when they have [resources] from which to make restitution. For simple fornication, however, which is a mortal and a damnable sin, they should enjoin a healthy penance. And in order to destroy a certain abuse that has become prevalent of late among the aforesaid people, namely that they will not in any way confess to a married priest, we want to remind them, or rather have it brought to their attention, how the Lord Pope saw fit to decree concerning this. For he said:

[b] "And married priests and others to whom their bishops commit the care of parishes or the direction of parish churches can licitly and freely hear the confessions of their parishioners, and enjoin penance on them for their sins."

13. Concerning the sacrament of Ordination.

[a] Further, we want and strictly instruct the aforesaid Greek bishops to confer Holy Orders as the Lord Pope commanded them. His words are these:

[b] "Ad hoc volumus et expresse praecipimus quod episcopi Graeci septem ordines secundum morem ecclesiae Romanae de caetero conferant, cum huc usque tres de minoribus circa ordinandos neglexisse vel praetermisisse dicantur."¹⁰⁴

[c] Septem vero ordines sunt ij: hostiarius, lector, exorcista, acolytus, subdiaconus, diaconus, et presbyter, quos sequitur ordo episcopalibus.¹⁰⁵

[d] Item, in ordinatione presbyteri et episcopi con[D]secratione utantur oleo et chrismate secundum formam in nostris [330] libris episcopalibus ordinatam. Quod si formam [730] non habent quam servat Romana ecclesia, volumus ut eandem a nobis postulent, obtineant, et observent obtentam.

[e] Item, sciendum quod in compositione inita sic habetur:

[f] "Si aliquis, sine licentia Latini episcopi et domini temporalis, a Graeco episcopo in regno Cypri se fecerit ordinari, Graecus episcopus, qui taliter eum promovit in regno, ab officio conferendi ordines a Latino episcopo suspendatur, et taliter ordinatus ad consuetum Domini sui servitium reducat.¹⁰⁶"

[g] Item, praecipimus eisdem episcopis ut sacerdotibus injungant, quatenus juxta verbum apostoli Iacobi et domini papae¹⁰⁷ mandatum, infirmis extremam conferant unctionem. [E]

14. *De Matrimonio.*

[a] Doceantur praeterea tam clerici quam laici ut circa matrimonia contrahenda credant et observent ea quae dominus papa super his ordinavit, cujus verba sunt haec:

[b] "Quia vero secundum Apostolum mulier mortuo viro ab ipsius est lege soluta, et nubendi cui vult in domino liberam habet facultatem, secundas et tertias ac ulteriores etiam nuptias Graeci non reprehendant aliquatenus nec condemnent, sed potius illas approbent inter personas quae alias licite ad invicem matrimonio jungi possunt. Secundo tamen nubentes, presbyteri nullatenus benedicant. Et quoniam apud eos consueverunt contrahi matrimonia inter personas contingentes se, juxta eorum computationem, octavo gradu, qui, secundum [2394A] computationem et distinctionem graduum quam nos facimus, apud nos quartus habetur, ne id praesumatur deinceps, firmiter

104. X.23.21. 105. Ostiary: doorkeeper; lector: reader of Bible in services; acolyte: assistant to celebrant at altar. 106. X.11.5. 107. Cf. James 5.14-15; X.23.9.

[b] "Also we wish and expressly command that from now on the Greek bishops are to confer seven orders according to the manner of the Roman Church, since until now they are said to have neglected or passed over for those to be ordained three of the minor orders."

[c] The seven orders are as follows: ostiary, lector, exorcist, acolyte, subdeacon, deacon, and priest, which are followed by the episcopal order.

[d] Again, in the ordination of a priest and the consecration of a bishop, they should use oil and chrism according to the procedure that has been established in our episcopal books. And if they do not have the form which the Roman Church observes, we want them to request it from us, get it, and observe it once it has been obtained.

[e] Again, it should be known that this is contained in the initial agreement:

[f] "If anyone should have himself ordained in the Kingdom of Cyprus by a Greek bishop without the permission of the Latin bishop and his temporal lord, the Greek bishop who so promoted him inside the kingdom shall be suspended from the office of conferring holy orders by the Latin bishop, and the man who was so ordained shall be reduced to his customary servitude of his Lord."

[g] Again, we order the same bishops to enjoin on the priests to confer Extreme Unction on the sick, as according to the word of James the Apostle [cf. James 5.14-15] and the order of the Lord Pope.

14. *Concerning Marriage.*

[a] Furthermore both clerics and laymen should be taught that, concerning contracting marriages, they should believe and observe what the Lord Pope decreed about these. His words are as follows:

[b] "But because according to the Apostle a woman whose husband is dead is unbound from him, and has the free faculty to marry in the Lord whomever she wishes, the Greeks are not to reprehend or condemn to any extent second, third, and even more marriages, but rather they should approve them between people who otherwise are able to be joined together in matrimony licitly. Priests shall, however, by no means bless those who are marrying for the second time. And since it has been the custom among them to contract marriages between people who were related to each other in, according to their calculation, the eighth degree, which for us, according to the computation and distinction of degrees that we make, is considered the fourth degree, we firmly forbid them from

prohibemus, districte praecipientes ut, cum in ulterioribus gradibus licite. matrimonia contrahantur, in praedicto quarto consanguinitatis vel affinitatis gradu copulari ulterius non praesumant, statutum in hoc generalis concilii observantes.¹⁰⁸ Illos tamen qui jam in gradu hujusmodi contraxerint dispensative permittimus in sic contracto matrimonio remanere.”¹⁰⁹

[c] Dum vero inter homines praedictarum nationum matrimonia fuerint contrahenda, banna sive bannos fieri volumus in ecclesiis, secundum quod ecclesia Romana praecipit,¹¹⁰ et observat ecclesia Latinorum, cum eadem sit ratio pro[B]hibitionis ne aliter matrimonia contrahantur apud Latinos et Graecos. Qui vero “clandestina matrimonia contrahunt,” aut “consilium vel auxilium ad hoc praebent,” secundum consuetudinem ecclesiarum regni Cypri excommunicationis se noverint vinculo innodatos. Similiter et sacerdos “qui clandestinum matrimonium celebrat, missam cantat, aut benedictionem – immo verius maledictionem – fecerit,”¹¹¹ vinculum excommunicationis incurrit, praeter gravissimam aliam poenam qua nihilominus punietur.

15. *Qui sint ipso jure excommunicati, et quod tales [C] frequenter denuncientur.*

[a] “Denuncientur etiam frequenter excommunicati ipso jure omnes haeretici quocumque nomine censeantur, et quod haeretici sunt omnes qui de sacramentis ecclesiae aliter credunt aut praedicant quam ecclesia Romana praedicat et observat, et qui Romanam ecclesiam non cre[331]dunt esse omnium ecclesiarum caput atque magistrum, ac dominum papam successorem esse beati Petri, et in terris vicarium Iesu Christi.”¹¹²

[b] Item, “hi Christiani qui vendunt ferrum, aut lignamina, vel alias res prohibitas Saracenis, vel qui in Saracenorum piraticis [731] navibus aut aliis vasis [D] regimen aut curam gubernationis exercent, vel quocumque officio utuntur in eis.”¹¹³

[c] Item, denunciamus excommunicatos¹¹⁴ “omnes presbyteros et diaconos Graecos qui non fecerunt nec facere volunt obedientiam ecclesiae Romanae et ecclesiae Nicosiensi.”¹¹⁵

[d] Item, denunciamus excommunicatos “omnes usurarios manifestos.

[e] “Item, omnes sortarios et sortiarias, divinos et incantatores.

[f] “Item, omnes caetos et caetas.”¹¹⁶

[g] “Item, omnes qui publice in domibus suis manutinent et sustinent ludum azardi.

[h] “Item, omnes illos qui aliquo modo domos suas concedunt publicis

108. Cf. Lateran IV, canon 50. 109. X.23.22. 110. Cf. e.g. Lateran IV, canon 51. 111. *Synodicum Nicosiense* A.XVI. 112. *Synodicum Nicosiense* A.XV. 113. *Synodicum Nicosiense*, verbatim combination of A.XV and C. 114. For what follows, *Synodicum Nicosiense* C. 115. Nicosiensi] Nicosiensis M 116. Incantatores et incantatrices vulgo: chouettes. Vide DuCangium in Glossario Latino, verbo: Cavanna. H. *add in margin* CM

presuming to do this from now on, strictly ordering that whereas marriages may licitly be contracted in higher degrees, they are not to presume to marry within the aforesaid fourth degree of consanguinity or affinity anymore, observing the statute of the General Council on this matter. However, we allow by dispensation those who have already contracted marriages within this degree to remain in the marriage thus contracted.”

[c] But when marriages are to be contracted between people of the aforesaid nations, we want the banns to be proclaimed in the churches according to what the Roman Church prescribes and the church of the Latins observes, since among both the Latins and the Greeks there is the same reason for prohibition against contracting marriages otherwise. Those “who contract clandestine marriages,” however, or “who give advice or aid to this end,” will find themselves bound by the chain of excommunication according to the custom of the churches of the Kingdom of Cyprus. Similarly, “the priest who celebrates a clandestine marriage, performs Mass, or gives a benediction, or more truly malediction,” will incur the chain of excommunication, besides the other very heavy penalty by which he shall be punished anyway.

15. *Who are excommunicate ipso jure,
and that they should be denounced frequently.*

[a] “Also, all heretics, under whatever name they may be known, should often be denounced as excommunicates ipso jure. [And it shall be proclaimed] that heretics are all those who believe or preach other than what the Roman Church preaches and observes concerning the sacraments of the Church, and who do not believe that the Roman Church is the head and mistress of all churches, and that the Lord Pope is the successor of Saint Peter and the vicar of Jesus Christ on Earth.”

[b] Again, [so are] “those Christians who sell iron or wood or other prohibited items to the Saracens, or who hold the post of shipmaster or care of navigation or any other office on the pirate ships or other vessels of the Saracens.”

[c] Again, we denounce as excommunicates “all Greek priests and deacons who have not given nor want to give obedience to the Roman Church and the Nicosia Church.”

[d] Again, we denounce as excommunicates “all manifest usurers.

[e] “Again, we denounce as excommunicates all sorcerers and sorceresses, diviners and wizards.

[f] “Again, men and women who perform incantations.

[g] “Again, all those who publicly maintain and sustain gambling in their houses.

[h] “Again, all those who in any way allow public prostitutes to stay in their

meretricibus ad commorandum in eisdem, vel postquam intellexerint eas tales, ipsas in suis domibus esse permittunt.

[i] “Item, denunciamus excommunicatos omnes piratas seu cursarios, qui scilicet in mari, vel flu[E]minibus, vel etiam in terra, mercatores et alios Christianos spoliant bonis suis.

[j] “Item, receptatores seu defensores eorumdum, et qui eis in suis maleficiis praebent consilium, auxilium, vel favorem.

[k] “Item, omnes apostatas nostrae dioecesis, masculos aut feminas, qui scilicet dimisso vel abjecto habitu¹¹⁷ religionis, saeculariter¹¹⁸ viventes, ad saeculum sine licentia ecclesiae redierunt.

[l] “Item, omnes qui sponsalia vel matrimonium clandestine contrahunt, vel etiam contraxerunt, vel qui his praesumpserint interesse.”

16. *De disciplina abbatum et monachorum.*

Volumus etiam et praecipimus quod tam abbates Graeci quam monachi regulam sancti Basilii, quam observare promiserunt, teneant inviolabiliter et observent, maxime circa obedientiam, continen[2395A]tiam, renunciationem etiam propriorum, dormiant etiam insimul in una domo, et simul comedant in refectorio, et non exeant septa monasterii sine sui abbatis licentia vel prioris. Monachi vero vagabundi ad sua monasteria revocentur. Nec se intromittant de caetero de balliis seu negotiis laicorum, nec vadant venatum, nec canes vel aves habeant ad venandum, nec teneant in suis domibus mulieres, servilia opera non exerceant nisi de praecepto sui abbatis vel prioris, si necessitas vel utilitas hoc concedat. Presbyteri vero de balliis, scriptoriis, seu negotiis aliis laicorum se nullatenus intromittant. Volumus siquidem ut monachi in abbatibus recipiantur libere, monachorum pactione vel conventionem aliqua non adjecta.

17. *Ut sacramenta et similia sine pactionibus [B] conferantur.*

Volumus etiam et praecipimus quod ordines, beneficia, sepulturae, officia, atque alia sacramenta ecclesiastica omnino libere conferantur, nullis pactionibus vel conventibus interjectis.

18. *Iterum qui sint excommunicati.*

[a] “Item, denunciamus excommunicatos omnes qui non restituunt vel restitui faciunt integre [332] et plenarie decimas ecclesiae Nicosiensi de omnibus possessionibus, animalibus, apaltibus, et redditibus suis, et qui inde semina, expensas, vel angarias ante earum restitutionem deducunt, vel qui in ipsis solvendis fraudem [C] aliquam committunt.”¹¹⁹

[b] Item, denunciamus excommunicatos auctoritate domini papae omnes qui in cleri[732]cos vel religiosas personas manus injiciunt, aut injicere faciunt,

117. habitu omit CM 118. saeculariter] seculariter L 119. Synodicum Nicosiense C; committunt] committunt L

houses, or who permit them to be in their houses after they have understood that they are [prostitutes].

[i] “Again, we denounce as excommunicates all pirates, or corsairs, namely those who rob merchants and other Christians of their goods at sea, on the rivers, or even on land.

[j] “Again, those who receive or defend them, and those who offer advice, assistance, or favor to them in their evil deeds.

[k] “Again, all the apostates of our diocese, men or women, namely those who, having abandoned or thrown off the religious habit, and living secular lives, have returned to the world without the Church’s permission.

[l] “Again, all those who contract or even have contracted a clandestine engagement or marriage, or who presume to take part in them.”

16. Concerning the discipline of abbots and monks.

Also, we want and order both Greek abbots and monks to hold and observe without violation the rule of Saint Basil, which they promised to observe, especially as regards obedience, continence, and the renunciation of personal property. They shall also sleep together in one house, and eat at the same time in the refectory, and not leave the monastic enclosure without the permission of their abbot or prior. Moreover, wandering monks are to be recalled to their monasteries. From now on they shall not take part in offices or the business transactions of laymen, nor go on the hunt, nor possess hounds or birds for hunting, nor keep women in their houses. They should not perform servile labor except under the order of their abbot or prior, if necessity or utility allows this. Priests should in no way take part in offices, secretariats, or other affairs of laymen. We want monks to be received in abbeys freely, with no additional contract or agreement of the monks.

17. That the sacraments and similar things should be conferred without contracts.

We also want and order that holy orders, benefices, burials, offices, and other ecclesiastical sacraments should be conferred absolutely freely, with no contracts or agreements intervening.

18. Once again, who should be excommunicate.

[a] “Again, we denounce as excommunicates all those who do not pay or cause to be paid to the Nicosia Church, wholly and in full, the tithes on all their possessions, animals, rents, and income, and who deduct seed, expenses, or requisitions, before the payment of the tithes, or who commit any fraud in paying them.”

[b] Again, by the authority of the Lord Pope we denounce as excommunicates all those who lay, or cause to be laid, violent hands on clerics or religious

violentas, vel eos incarceration, aut incarceration¹²⁰ procurant, sine licentia praelati sui. Et ne aliqui per ignorantiam se excusent, quoddam statutum domini legati praesenti capitulo duximus inserendum, quod inviolabiliter praecipimus observari, cuius tenor talis est:¹²¹

[c] “Venerabili patri Hugoni, Dei gratia archiepiscopo Nicosiensi, Odo, miseratione Divina Tusculanus episcopus, apostolicae sedis legatus, salutem *etc.*, *ut supra*, pag. 2382¹²² <<et sinceram in Domino caritatem. Vobis autoritate qua fungimur districte praecipiendo mandamus quatenus in majori ecclesia Nicosiensi, et in omnibus aliis ecclesiis in regno Cypri constitutis, statutum quod nuper in loppe edidimus publicari solemniter faciatis, cuius statuti tenor talis est:

[d] “Venerabilibus in Christo patribus, patriarchis, archiepiscopis, episcopis, abbatibus, prioribus, tam exemptis quam non exemptis, ecclesiarum rectoribus et capellanis tam exemptorum quam non exemptorum, in nostra legatione constitutis, Odo, miseratione Divina Tusculanus episcopus, apostolicae sedis legatus, salutem in Domino sempiternam. Cum salus animarum omni lucro temporali et quaestui merito debeat anteponi, quidam tamen, sicut nobis innotuit, suae avaritiae consulere cupientes, impediunt vel impedi procurant quominus Saraceni seu alii infideles quos in captivitate detinent, vel qui eorum potestati seu dominio sunt subjecti, instruantur in fide et regenerentur baptismatis sacramento, licet dicti Saraceni et alii nondum adepti baptismatis sacramentum, fidem catholicam confitentes, instanter petant ablui lavacro salutari, quod sacramentum nulli fidem confitenti et idem sacramentum postulanti convenit denegari, hinc est quod nos, inhumanitati seu impietati eorum salubrem cupientes adhibere medelam, autoritate qua fungimur districtius inhibemus et irrefragabili constitutione sancimus ne quis in nostra legatione constitutus de caetero impediat vel impedi procurat quominus Saraceni sclavi seu quicumque alii nondum renati baptismatis sacramento, qui fidem catholicam confitentes, sacramentum baptismi sponte petierint, baptizentur, salvo in omnibus et per omnia debito servitutis quod eorum dominis alias competit in eisdem, quia per hoc non intendimus illis qui baptismum susceperint libertatem aliquam indulgere. Quod si forte aliqui contra inhibitionem et statutum nostrum ausu temerario

120. incarceration] incacerari CM 121. *Synodicum Nicosiense* A.XXVII.1-3. 122. 2382] 718 CM (Mansi gives Coleti's internal reference).

persons, or imprison them or procure their imprisonment, without the permission of their prelate. And so that no one excuses himself through ignorance, we have directed that a certain statute of the lord legate be inserted in the present chapter, and we order that it be obeyed inviolably. Its tenor is as follows:

[c] “Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to his venerable father Hugh, by the grace of God archbishop of Nicosia, greetings [[and sincere love in the Lord. By the authority we are exercising, we strictly order and command that you solemnly make public, in the Great Church of Nicosia and in all other churches that are in the Kingdom of Cyprus, the statute that we made in Jaffa not long ago, the tenor of which statute is as follows:

[d] “Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to his venerable fathers in Christ who are in our legation, the patriarchs, archbishops, bishops, abbots, priors, both exempt and not exempt, the rectors and chaplains of the churches both of those who are exempt and not exempt, never ending greetings in the Lord. The salvation of souls must rightly be put before every temporal profit and gain. Nevertheless, as we have learned, some men, who desire to feed their own avarice, place obstacles or have obstacles placed in the way of Saracens or other infidels whom they hold in captivity or who are subject to their power or dominion, so that they are not instructed in the faith and reborn with the sacrament of Baptism, even though said Saracens and others who have not yet undergone the sacrament of Baptism but who profess the Catholic faith are earnestly seeking to be cleansed in the saving bath. It is not proper to deny a sacrament to anyone professing the faith and desiring the same sacrament. Therefore, desiring to apply a healthful remedy to the inhumanity and impiety of these men, we, by the authority with which we are charged, strictly prohibit and, by this indisputable regulation, forbid anyone who is within our legation from placing obstacles in the future or having obstacles placed in the way of [the baptism of] Saracen slaves or any other slaves, who have not yet been reborn in the sacrament of Baptism but who profess the Catholic faith, so that they are not baptized. This does not apply to any matters in which they owe service that otherwise pertains to their lords, because we do not intend by this to grant any freedom to those who undergo baptism. If anyone, either himself or through someone else, should

praesumpserint sclavum Saracenum seu quemcumque alium nondum baptizatum, per se vel per alium, a sacramento hujusmodi prohibere, postquam baptizandorum voluntas super hoc fuerit patefacta, censemus eos ipso facto excommunicationis vinculo innodatos. Et ne in posterum aliquis praetextu ignorantiae ab observatione hujusmodi statuti nostri se valeat excusare, et ut infideles ad fidem catholicam liberius et facilius attrahantur, volumus et mandamus vobis, in virtute obedientiae, firmiter injungentes ut bis singulis annis, videlicet in ramis palmarum et in epiphania Domini, vos et successores vestri hoc statutum nostrum in ecclesiis vestris publicetis, vel publicari solemniter faciatis, tenorem nihilominus statuti ejusdem in libris ecclesiarum vestrarum>> *usque ad haec verba*: conscribi ad perpetuam rei memoriam facientes. Datum in Ioppe, [D] anno Domini MCCLII, Nonas Ianuarii.”

[e] Sed et¹²³ “ne laïcorum insolentia invalescat, quae jam in tantam prorupit audaciam ut pluries intrantes Nicosiensem ecclesiam dum celebrantur Divina, vel fit aliqua executio officii pastoralis, publice conclamantes, praelato, sacerdotibus, et aliis clericis ecclesiaeque ministris, ipsique loco, et Divino cultui non modicas injurias importarint, statuimus ut quicumque laïcus aut clericus de caetero praedictam Nicosiensem ecclesiam, *etc. ut supra, p. 2383*¹²⁴ <<aut aliam quamcumque nostrae civitatis sive dioecesis, in quibus cum pace et quiete vota competit reddere ac celebrari Divina, intrans aliquid injuria importaverit praelato, sacerdotibus, aliisque ipsarum ecclesiarum clericis ac ministris, seu ipsis locis aut Divino cultui, vel conclamationibus, seditionibus, aut tumultu fuerit usus ibidem, ipso facto vinculum excommunicationis incurrat. Nos enim ipsum, quicumque fuerit ille, cum omnibus sibi assistentibus, vel ad hoc dantibus auxilium, consilium, vel favorem, autoritate Dei omnipotentis excommunicamus, et excommunicatum usque ad satisfactionem condignam praecipimus publice nunciari, poenas quas secundum jura civilia tales incurrunt>> *usque ad haec verba*: suis iudicibus relinquentes.”

[f] Capitulum vero quoddam a nobis et fratribus et coepiscopis nostris editum in provinciali concilio si[E]militer duximus inserendum ad extirpandum haereticam pravitatem, cujus tenor talis est:

[g] “Et quia a pluribus annis quamplures presbyteri Graeci et

123. *Synodicum Nicosiense* A.XXVIII.1.

124. 2383] 719 CM (Mansi again copies Coleti's internal reference).

presume, by some rash venture and against our injunction and statute, to keep from baptism a Saracen slave or any other slave who is not yet baptized, after the will of those who are to be baptized is made known in this matter, we decree that he is bound by the chains of excommunication by that very fact. And so that no one in the future should be able to excuse himself from observing this statute of ours on the pretext of ignorance, and so that the infidels may be attracted more freely and easily to the Catholic faith, we want and command, firmly imposing this on you in virtue of obedience, that you and your successors publicize or solemnly have made public this statute of ours in your churches twice each year, namely on Palm Sunday and on the Lord's Epiphany. Moreover, you are to have the text of the statute]] written in the books of your churches for the permanent record. Given in Jaffa, on the fifth of January, in the year of the Lord 1253."

[e] But also, "the insolence of lay people has burst forth in such audacity that often they enter the Church of Nicosia while Mass is being celebrated or during a performance of the pastoral office, and openly shout loudly, and cause no small harm to the prelate, priests, and other clerics and ministers of the church, and to the place itself and the worship of the divine. Lest this insolence gain strength, we decree that from now on if anyone, be he a lay person or a cleric, upon entering the aforesaid Church of Nicosia, [[or any other church of our city or diocese where it is fitting to recite prayers and celebrate the divine offices in peace and quiet, should cause harm to the prelate, priests, and other clerics and ministers of those churches or to those places or the worship of the divine, or should carry on there with loud shouts, objections, or disturbances, incurs the bonds of excommunication by that very fact. For by the authority of God Almighty we excommunicate him, whoever he may be, along with all those helping him or giving him aid, advice, or support in this matter. And we order that the excommunicate should be denounced publicly until he makes proper amends. We leave to his judges the punishment that such men incur according to civil laws."]]

[f] Similarly we have directed that a certain chapter that we and our brothers and co-bishops decreed in the provincial council be inserted to uproot heretical wickedness. Its tenor is as follows:

[g] "For many years many Greek priests and monks on the island

monachi in Insula Cypri fuerunt suspicione notabiles de haeretica pravitate, et pluries admoniti ut omnes haereses adjurarent – et maxime illam quae damnat confectum in azymis Eucharistiae sacramentum – ac redirent ad obedientiam Romanae ecclesiae, quoniam hoc facere contempserunt, latitantes per loca diversa ac fugientes et nonnullos veneno pestifero corrumpentes, fuerunt per praedecessores nostros publice annis singulis excommunicationis [2396A] vinculo innodati, in qua non tantum per annum sed per plurimos annos perstiterunt facie indurata. Nos etiam eosdem pluries admonuimus ut redirent, quod similiter facere contempserunt. Ne igitur circa pestem hujusmodi negligentes inveniamur aut remissi, jam dictos autoritate concilii haereticos judicamus.”

19. *De commerciis et negotiationibus prohibitis clericis.*

[a] Item, prohibemus, sicut in sacris canonibus continetur, ne “quisquam clericus” vel laicus, “sine manifesta et rationabili causa,” monasteria sanctimonialium adire praesumat. Clericus vero aut laicus qui contrafecerit poenae debitae subiacebit.¹²⁵

[b] Item, prohibemus clericis, et praecipue presbyteris et diaconibus, ne com[B]mercia vel officia saecularia exerceant, maxime inhonesta, et ne sint casalium aut reddituum¹²⁶ apaltatores, balivi, aut procuratores militum, quia hoc est contra eorum ordinum honestatem, et ex hoc contingit eos capi per milites, in foveas mitti, [333] et alias tractari turpiter contra ecclesiasticam libertatem, ipsosque milites propterea¹²⁷ incidere in canonem latae sententiae, nosque etiam oportere contra eos procedere. Unde tam contra nos quam contra ecclesiam moventur, licet injuste. [733]

20. *De Missa et Divinis officiis.*

[a] Item, prohibemus ut, excepto die nativitatis Do[C]minicae, et nisi necessitas suadeat, non nisi unam Missam sacerdos cantet in die.

[b] Praecipimus etiam, prout dominus papa statuit, ut:

[c] “sacerdotes dicant horas canonicas more suo, sed Missam celebrare priusquam officium matutinale compleverint non praesumant. Nam promovendi ad sacerdotium et presbyteri qui praeficiendi fuerint ecclesiarum regimini debent examinari antea diligenter sed [read: si] praecipue de horis canonicis et Missarum officiis secundum distinctionem temporum exequendis sint sufficienter instructi, quia ad hoc non sunt nisi digni et idonei

125. Cf. *Synodicum Nicosiense*, A.VII.
militespropterea L

126. reddituum] redditum M

127. milites propterea]

of Cyprus were notorious suspects of heretical wickedness, and were often warned to abjure all heresies – and especially the one that damns the sacrament of the Eucharist prepared with unleavened bread – and to return to obedience to the Roman Church. Because they refused to do this, fleeing and hiding in various places and corrupting several people with their fatal poison, each year our predecessors bound them publicly with the chains of excommunication, in which they persisted not only for one year but for many years with stubborn faces. We also often warned them to return, which they similarly refused to do. Therefore, so that we are not found negligent or remiss surrounding this pestilence, by the authority of the council we judge that those already mentioned are heretics.”

19. Concerning trade and business dealings that are prohibited to clerics.

[a] Again, just as is contained in the sacred canons, we prohibit “any cleric” or layman from presuming to enter monasteries of nuns “without manifest and reasonable cause.” A cleric or layman who goes against this will be subjected to due punishment.

[b] Again, we prohibit clerics, particularly priests and deacons, from being occupied with secular trade or offices, especially shameful ones, and from being lease-holders of estates or rents, bailiffs, or managers for knights, because this is contrary to the integrity of their orders and from this it happens that they are captured by knights, thrown into pits, and otherwise treated foully against ecclesiastical liberty. And because of this those knights come within the scope of the canon automatically, and we have to proceed against them also, so that they are caused to act both against us and against the Church, although unjustly.

20. Concerning the Mass and the divine offices.

[a] Again, we prohibit priests from saying any more than one Mass per day, except on the day of the Lord’s Nativity and unless necessity impels.

[b] We also order, as the Lord Pope determined, that:

[c] “Priests are to say the canonical hours in their own way, but they should not presume to celebrate Mass before they complete the office of Matins. Those who are to be promoted to the priesthood and priests who are to be charged with the administration of churches should be examined diligently beforehand, especially as to whether they have been instructed sufficiently about performing the canonical hours and the offices of masses according to the different seasons, so that only worthy and suitable men are

admittendi. Caeterum unusquisque sacerdos in aureo vel argenteo solum, aut saltem stanneo calice, sacrificet, habens corporale de lino candidum et nitidum, et altare mundis vestimentis opertum, [D] vel decentibus paramentis. Mulieres autem servire ad altare non audeant, sed ab illius ministerio repellantur omnino.”¹²⁸

21. *De Chrismate.*

[a] In chrismatis vero confectione, statutum domini papae districte praecipimus observari, cujus tenor talis est:

[b] “Singuli quoque episcopi in suis ecclesiis in die coenae Domini possunt, secundum formam ecclesiae, chrisma conficere, ex balsamo quidem et oleo olivarum, nam Spiritus sancti donum in chrismatis unctione confertur, et columba utique, quae ipsum designat [E] Spiritum, olivae ramum ad arcam legitur retulisse.”¹²⁹

[c] Intelligant vero hanc esse formam inter alia ut singulis annis novum chrisma conficiant, ad quod si doctrinam non habent, a nobis postulent prout debent.¹³⁰

22. *De Purgatorio et aliis quae sequuntur.*

[a] Item, praecipimus clerum et populum Graecorum et Syrorum instrui¹³¹ prout dominus papa determinavit, sic dicens:

[b] “Denique cum veritas in Evangelio asserat quod si quis in Spiritum sanctum blasphemiam dixerit, neque in hoc saeculo neque in futuro dimittetur ei, [2397A] per quod datur intelligi quasdam culpas in praesenti, quasdam vero in futuro, posse saeculo relaxari; et Apostolus dicat quod [mg: I Cor. 13] ‘uniuscujusque opus, quale sit, ignis probabit’,¹³² et ‘cujus opus arserit, detrimentum patietur, ipse autem salvus erit, sic tanquam per ignem’;¹³³ et ipsi Graeci vere ac indubitanter credere et affirmare dicantur animas illorum qui suscepta poenitentia, ea non peracta, vel qui sine mortali peccato cum venialibus tantum et minutis decedunt, purgari post mortem, et posse suffragiis ecclesiasticis adiuvari; nos, quia locum purgationis hujus dicunt non fuisse sibi ab eorum doctoribus certo et proprio nomine indicatum, illum quidem juxta traditiones et auctoritates sanctorum patrum ‘pur[B]gatorium’ nomi[334]nantes, volumus quod de caetero apud ipsos isto nomine appelletur. Illo enim transitorio igne peccata

128. X.23.13-16. 129. X.23.7. 130. Cf above, *Synodicum Nicosiense*, B.13. 131. instrui] instruit CM 132. I Corinthians 3.13. 133. I Corinthians 3.15.

admitted to this [charge]. Additionally, every priest should make the sacrifice in a gold, silver, or at least tin chalice, wear a corporal of bright white linen, and have the altar covered with clean vestments or fitting trimmings. Women should not dare to serve at the altar, but they are to be completely excluded from its service.”

21. *Concerning the chrism.*

[a] But in preparing the chrism we strictly order that the Lord Pope’s statute be observed. Its tenor is as follows:

[b] “All individual bishops can make the chrism in their churches on the day of the Last Supper, in accordance with the Church’s procedure, that is, of balsam and olive oil, for the gift of the Holy Spirit is conferred in the unction of the chrism, and we read that the dove, which designates the Spirit itself, brought back the olive branch to the ark [cf. Genesis 8.11].”

[c] But they should understand that, among other things, the procedure is that they should prepare the new chrism every year. And if they do not have the teaching on this, they should ask us for it, just as they are supposed to.

22. *Concerning Purgatory and the other things that follow.*

[a] Again, we order that the clergy and populace of the Greeks and Syrians be instructed as the Lord Pope determined, speaking thus:

[b] “Next, in the Gospel the Truth asserts that if someone should blaspheme against the Holy Spirit, it will not be forgiven him, either in this world or in the future world. By this it is given to understand that some sins can be relaxed in the present world, and some indeed in the future one. And the Apostle says that ‘the fire shall try every man’s work, of what sort it is’, and ‘if any man’s work burn, he shall suffer loss, but he himself shall be saved, yet so as by fire’ [I Corinthians 3.13, 15]. The Greeks themselves are said to believe and affirm truly and without doubt that the souls of those who die having undertaken penance, but not having finished it, or of those who die without mortal sin, but rather with venial and small sins, are purged after death and that they can be helped by offerings to the Church. But they say that their doctors did not indicate the place of this purgation to them with a certain and proper name, whereas we call it ‘Purgatory’, in accordance with the traditions and the authorities of the Holy Fathers. Therefore, we wish that they also call it by this name from now on. For sins are purged in that

utique, non tantum criminalia seu capitalia quae prius per poenitentiam non fuere remissa, sed parva et minuta purgantur quae post mortem etiam gravant, si in vita non fuerint relaxata. [734]

[c] "Si quis autem absque poenitentia in peccato mortali decedit, hic proculdubio aeternae gehennae ardoribus perpetuo cruciatur.

[d] "Animae vero parvulorum post baptismi lavacrum, et adultorum etiam in caritate decedentium qui nec peccato nec ad satisfactionem aliquam pro ipso tenentur, ad patriam protinus transvolant sempi[C]ternam."¹³⁴

23. *De Simoniacis.*

Omni praeterea districtione qua possumus, praecipimus tam episcopis quam aliis sacerdotibus Graecis sepulcrum et sepulcra terra¹³⁵ [*read: sepulturam*], omniaque denique ecclesiastica sacramenta omnino libere conferant, cessantibus conventionibus et omnibus quae in fraudem possent fieri circa haec. Qui enim contrarium perpetrat, non est dubium ipsum simoniam committere et esse cum Simone mago aeterna poena damnatum. [D]

24. *Ut praedicta publicentur.*

Praedicta omnia per episcopos volumus in suis locis, tam clericis quam laicis, saltem quater in anno exponi, congregatis ipsis in loco aliquo ad hoc apto. Hoc idem praecipimus effores [*mg: forte: ephoris*] in suis locis; item, magistris capellanis Graecis qui sunt in civitatibus vel alibi constituti.¹³⁶

25. *Casus episcopo reservati.*

[a] Volumus et statuimus quod, sicut hactenus observatum est, maiora ad archiepiscopum et ad episcopos in suis dioecesibus reserventur, ut sunt: homicidia, sacrilegia, peccata contra naturam, incestus [E] (ut est cum consanguineis vel monialibus commisceri), stupra virginum, injectiones manuum in parentes, suffocationes parvulorum, perjurium, incendia, restitutio ablatorum et illegitime acquisitorum, in solemnes poenitentias imponenda.

[b] Item, excommunicatos absolvendos.

[c] Item, mutationes votorum peregrinationis vel abstinentiae.

[d] Item, perjurium solemniter factum in omni curia.

26. *Bonifacius Papa.*

[a] [*mg: Est pars Clementina "Dudium" de sepulturis*]¹³⁷ "Si vero iidem praelati

¹³⁴. X.23.23. ¹³⁵. L has * indicating a problem, and CM *add in margin*: Locus mendosus. The correct reading must be "sepulturam." ¹³⁶. This seems to indicate the end of the document. Sections 25 and 27 appear to belong earlier, while 26 does not belong at all with the rest of Text B. ¹³⁷. From letter of Boniface VIII, 1 March 1300: Potthast, no. 24913; *Clementinarum* Lib. III, Tit. VII, "De sepulturis," c. 2 (*Corpus iuris canonici* II, ed. A. Friedberg, Graz 1959, cols. 1163-4).

transitory fire, not only criminal or capital ones that have not been previously remitted by penance, but also little and small ones, which burden us even after death if they are not relaxed in life.

[c] “If, however, someone dies in mortal sin without penance, without any doubt he will be perpetually tortured by the torments of eternal Hell.

[d] “But the souls of children after the cleansing of Baptism and of adults who died in a state of Grace, who are not held either by sin or for any satisfaction for sin, fly immediately to the eternal Kingdom.”

23. Concerning Simoniacs.

Furthermore, with all strictness that we can, we order both bishops and other Greek priests to bestow grave and burial and indeed all ecclesiastical sacraments completely for free, without agreements and all things that could result in fraud in connection with them. For there is no doubt that he who does the contrary commits Simony and is damned to eternal punishment along with Simon the Magician.

24. That the aforesaid items should be published.

We want the bishops to relate all the aforesaid items in their locales, both to the clerics and to laymen, at least four times per year, when they are congregated in some place appropriate for this. We also order this of the ephors in their locales; again, [we order this] of the Greek master chaplains who are in cities or elsewhere.

25. Cases reserved for the bishop.

[a] We will and decree that, as has been observed until now, major [crimes] should be reserved for the archbishop and bishops in their dioceses, that is: homicide, sacrilege, sins against nature, incest – that is, uniting with relatives or nuns – the deflowering of virgins, the laying of hands on parents, the suffocation of children, perjury, arson, the return of stolen goods and things acquired illegitimately, in which serious penances are to be imposed.

[b] Again, the absolution of excommunicates.

[c] Again, the changing of vows of pilgrimage and abstinence.

[d] Again, perjury concerning solemn oaths before any court.

26. Pope Boniface.

[a] [*mg*: this is part of the Clementine “Dudum,” on burials] “But if these prelates refuse to present this license to the aforementioned friars who have been chosen

praefatis fratribus ad confessiones, ut praemisimus, audiendas electis huiusmodi exhibere licentiam recusaverint, nos ex nunc ipsis, ut confessiones¹³⁸ sibi confiteri volentium libere li[2398A]citeque audire valeant, eisque poenitentias imponere salutare atque eisdem absolutionis beneficium impertiri, gratiose concedimus de apostolicae plenitudine potestatis. Per huiusmodi autem concessionem nequaquam intendimus personis seu fratribus ipsis ad id taliter deputatis potestatem in hoc impendere ampliorem quam in eo curatis, seu parochialibus sacerdotibus est a jure concessa, nisi forsitan eis ecclesiarum praelati uberiores¹³⁹ in hac parte gratiam specialiter ducerent faciendam.

[b] "Huiusmodi quoque statuto et ordinationi nostris adjicimus¹⁴⁰ ut fratres dicto[335]rum ordinum in ecclesiis et locis suis ubilibet constitutis liberam, ut sequitur, habeant sepulturam, videlicet quod omnes ad eam recipere [B] valeant qui sepeliri elegerint in locis et in ecclesiis memoratis.

[c] "Verum, ne parochiales ecclesiae ac ipsarum curati sive rectores qui ministrare habent ecclesiastica sacramenta, quibus noscitur [735] de jure competere praedicare seu proponere verbum Dei et confessiones audire, fidelium debitis et necessariis beneficiis defraudentur, cum operariis mercedis exhibitio debeatur, auctoritate statuimus et ordinamus eadem ut fratres ordinum praedictorum de obventionibus omnibus, tam funeralibus quam quibuscumque et quomodocumque relictis, distincte vel indistincte, ad quoscumque certos vel determinatos usus, de quibus etiam quarta seu canonica por[C]tio dari sibi exigi non consuevit, vel non debet de jure, necnon de datis vel qualitercumque donatis in morte, seu mortis articulo, aut infirmitate donantis vel dantis, de qua decesserit, quomodocumque, directe vel indirecte, fratribus ipsis vel aliis pro iisdem quartam partem quam auctoritate apostolica taxamus et etiam limitamus, parochialibus sacerdotibus et ecclesiarum rectoribus seu curatis largiri integre teneantur, facturi et curaturi quod nec alii nec aliis a quibus quarta huiusmodi minime deberetur, ad ipsorum fratrum utilitatem vel commodum huiusmodi fiant relictas, aut in eos taliter data vel donata procedant, seu quod in morte vel ab infirmis huiusmodi dandum vel [D] donandum fratribus ipsis existeret, in eorundem dantium vel donantium sanitate, sibi dari vel non¹⁴¹ donari procurent. In quibus per ipsos vitandis eorum intendimus conscientias onerare, ut si, quod absit, per fratres ipsos dolo vel fraude quicquam in hac parte agi fortasse contigerit, praeter id quod eos propterea dictis sacerdotibus, rectoribus, et curatis teneri volumus, etiam districta ratio in extremo iudicii requiratur examine ab eisdem. Ultra portionem autem huiusmodi, nil valeant parochiales sacerdotes, rectores, curati, et praelati exigere supradicti, neque illis amplius dicti fratres impendere sint astricti, neque ad id a quoquam possint aliquatenus coërceri." [E]

138. confessiones] confesiones C 139. uberiores] ulteriores M 140. adjicimus] adjicimus L 141. The "non" should be removed. CM *add in margin*: forte: vel condonari H.

to hear confessions, as we have stated before, from the fullness of Apostolic power we graciously concede it to them so that from now on they are freely and licitly able to hear the confessions of those who want to confess to them, and to impose salutary penances on them, and to bestow on them the benefit of absolution. However, in no way do we intend by this concession to assign to the persons or the friars assigned to this a power that is greater than [the power] that is granted by law to curates, that is, parish priests, unless perhaps the prelates of the churches specifically see fit that a more plentiful privilege be made for them in this matter.

[b] “We also add to this statute and this ordinance of ours that the friars of said orders should have unrestricted burial in their churches and places wherever they are, as follows: namely that they may admit for burial all those who choose to be buried in the places and churches mentioned.

[c] “However, so that parish churches and their curates or rectors who have to administer the ecclesiastical sacraments – to whom it is recognized that preaching or expounding the word of God and hearing confessions pertain by law – are not defrauded of the due and necessary donations of the faithful, since the payment of wages is owed to the workers, by the same authority we decree and establish that the friars of the aforesaid orders be obliged to bestow on the parish priests and the rectors or curates of the churches, in its entirety, the fourth part of all revenues, both from funerals and any other bequests left in any way, separately or together, for whatever fixed and determined uses – even of those of which a fourth or canonical portion has not been customarily given or demanded, or is not required by law – and also of things given or donated in any way in the death or on the point of death, or in the sickness leading to the death of the donor or giver, in any way, directly or indirectly, to the friars themselves or to others for them, which fourth we appraise and also assign by Apostolic authority. They will make sure and see to it that the things that are [in fact] left for the friars’ utility or convenience are not [for form’s sake] left to a third person or persons who are not obliged to pay this fourth; or that things are [not] given or donated in this way and are then passed to [the friars]; or that, while the givers or donors are still in good health, the friars [do not] bring it about that they themselves receive gifts or donations that would have been given or donated to themselves in case of death, or by persons that are sick in the way stated. We intend to burden their consciences as concerns these things that they are to avoid, so that if perhaps – and may it not come to pass – these friars should happen to do anything by fraud or deceit in this matter, then besides what we want them to be obliged [to give] because of this to said priests, rectors, and curates, a strict account shall also be required of them on the Day of Judgment. But the above-mentioned parish priests, rectors, curates, and prelates should not be able to exact anything beyond this portion, nor are said friars obligated to pay any more to them, nor can they be at all coerced to do this by anyone.”

27. *Hoc congruit sacerdotibus ecclesiae, episcopis et presbyteris, qui grave pondus poenitentiae imponunt, ipsi vero minime agunt de peccatis suis.*

Talis ergo poenitentia imponenda est peccatori quam possit ferre. Accipe exemplum: si posueris super humeros innocentis onus quod non possit bajulare, necesse est ut aut onus rejiciat aut sub onere confringatur. Similiter, si peccatori grave pondus poenitentiae imposueris, necesse est aut ne poenitentiam faciat in desperationem cadens, aut ipsi oneri succumbat. Melius est namque ut de misericordia arguatur sacerdos in die iudicii quam exhibuit erga poenitentes quam de nimia crudelitate. [2399A; 336]

27. This applies to the church's priests, bishops, and priests who impose a heavy burden of penance but who themselves do little about their own sins.

Therefore a penance is to be imposed on the sinner such as he can bear. Take an example: if you place on the shoulders of the innocent a load that he cannot carry, it is necessary either for him to throw off the load, or to be crushed beneath the load. Similarly, if you impose a heavy burden of penance on a sinner, it is necessary either for him not to do the penance, falling into despair, or to succumb to the burden. For it is better for the priest to be charged on the Day of Judgment with the mercy he showed to penitents than with excessive cruelty.

[Text C]

CONSTITUTIO

Qua declarantur et denunciantur excommunicati, recitata anno MCCLI in magno coemeterio ecclesiae Nicosiensis.

[1] Autoritate domini papae denunciamus excommunicatos omnes haereticos utriusque sexus, quocumque nomine censeantur.

[2] Item, fautores, receptatores, et defensores eorum.

[3] Item, omnes qui de ecclesiasticis sacramentis aliter sentire aut docere non metuunt quam sacrosancta Romana ecclesia praedicat et observat. [736]

[4] Item, omnes qui de caetero servari fecerint statuta et consuetudines introductas contra [B] ecclesiasticam libertatem.

[5] Item, scriptores dictorum statutorum et statutarios, necnon rectores et¹⁴² consiliarios locorum ubi de caetero statuta et consuetudines hujusmodi editae fuerint vel servatae, et illos qui secundum illas praesumpserint judicare, vel in publicam formam scribere judicata.

[6] Item, praecipimus districte et sub poena excommunicationis universis Graecis qui sacramenta confirmationis et matrimonii juxta morem ecclesiae Romanae et ecclesiae Nicosiensis receperunt, et etiam iis qui ex praedictis sunt procreati, ut de caetero semel saltem in hebdomada, die scilicet Dominica, in majori ecclesia Latinorum Nicosiensi ad audiendum Divinum offi[C]cium conveniant, et ibidem confiteantur Latino presbytero, saltem semel in anno, sua peccata, et ab eadem ecclesia juxta morem Latinorum omnia ecclesiastica recipiant sacramenta eadem de caetero, nisi forte in necessitate, juxta mores et ritus Graecorum nullatenus recepturi. Quod si aliqui, quod Deus avertat, contra fecerint, sententiam excommunicationis et poenam etiam aliam non immerito poterunt formidare.

[7] Item, denunciamus excommunicatos universos qui Romanam ecclesiam dicunt et asserunt non esse caput omnium ecclesiarum et eidem tanquam capiti obedire recusant.

[8] Item, omnes qui deferunt arma, ferrum, lignamina, vel alias res prohibitas Saracenis, vel regimen exercent in eorum navi[D]bus vel galeis.

[9] Item, omnes presbyteros et diaconos Graecos qui non fecerunt nec facere volunt obedientiam ecclesiae Romanae et ecclesiae Nicosiensi.¹⁴³

[10] Item, omnes usurarios manifestos.

[11] Item, omnes sortiarios et sortiarias, divinos et incantatores.

142. et omit M 143. Nicosiensi] Nicosiensis M

[Text C]

REGULATION

by which the Excommunicates Are Declared and Denounced, Recited in the Year 1251 in the Great Cemetery of the Nicosia Church.

[1] By the authority of the Lord Pope we denounce as excommunicates all heretics of both sexes, by whatever name they are known.

[2] Again, those who protect, receive, and defend them.

[3] Again, all those who are not afraid to think or teach differently from what the Holy Roman Church preaches and observes concerning the ecclesiastical sacraments.

[4] Again, all those who, from now on, make it so that statutes and customary laws introduced against ecclesiastical freedom are observed.

[5] Again, those who write said statutes and those who make the statutes, and also the rectors and advisors in the places where such statutes and customary laws are published and observed in the future, and those who presume to judge or write judgments in a public form in accordance with them.

[6] Again, on pain of excommunication we strictly order all Greeks who have received the sacraments of Confirmation and Marriage in the way of the Roman Church and the Church of Nicosia, and also those who are born to the aforesaid people, from now on to convene at least one a week, namely on Sunday, in the Great Church of the Latins in Nicosia to hear the divine office, and to confess their sins in the same place at least once a year to a Latin priest, and to receive from the same church all of the ecclesiastical sacraments in the way of the Latins, from now on, in no way receiving them according to the Greeks' ways and rites, except perhaps in case of necessity. And if anyone, God forbid, should go against this, not without cause they shall fear the sentence of excommunication and another punishment also.

[7] Again, we denounce as excommunicates all those who maintain and assert that the Roman Church is not the head of all churches and refuse to obey it as the head.

[8] Again, all who deliver arms, iron, wood, or other prohibited items to the Saracens, or who hold the post of shipmaster in their ships or galleys.

[9] Again, all Greek priests and deacons who have not given nor want to give obedience to the Roman Church and the Nicosia Church.

[10] Again, all manifest usurers.

[11] Again, all sorcerers and sorceresses, diviners and wizards.

[12] Item, omnes caetos et caetas.

[13] Item, omnes qui publice in domibus suis manutinent et sustinent ludum azardi.¹⁴⁴

[14] Item, omnes illos qui aliquo modo domos suas concedunt publicis meretricibus ad commorandum in eisdem, vel postquam intellexerint eas tales, ipsas in suis domibus esse permittunt.

[15] Item, denunciamus excommunicatos omnes piratas seu cursarios, qui scilicet in mari, vel fluminibus, vel etiam in terra, mercatores et alios Christianos spoliant bonis suis.

[16] Item, recepta[E]tores seu defensores eorumdum, et qui eis in suis maleficiis praebent consilium, auxilium, vel favorem.

[17] Item, omnes apostatas nostrae dioecesis, masculos aut feminas, qui scilicet dimisso vel abjecto habitu religionis, saeculariter¹⁴⁵ viventes, ad saeculum sine licentia ecclesiae redierunt.

[18] Item, omnes qui sponsalia vel matrimonium clandestine contrahunt, vel etiam contraxerunt, vel qui his praesumpserint interesse.

[19] Item, denunciamus excommunicatos omnes qui non restituunt vel restitui faciunt in[337]tegre et plenarie decimas ecclesiae Nicosiensi¹⁴⁶ de omnibus possessionibus, animalibus, apaltibus, et redditibus suis, et qui inde semina, expensas, vel angarias ante earum restitutionem deducunt, vel qui in ipsis solvendis fraudem ali[2400A]quam committunt.

[20] Recitata sunt praedicta populo in magno coemeterio Nicosiensis ecclesiae, in die Palmarum, tempore domini Hugonis, Nicosiensis electi, consecrati, anno Domini MCCLI, nono Idus Aprilis, et eodem modo anno sequenti. [737]

144. azardi] hazardi CM 145. saeculariter] seculariter L 146. Nicosiensi] Nicosiensis M

[12] Again, all men and women who perform incantations.

[13] Again, all those who publicly maintain and sustain gambling in their houses.

[14] Again, all those who in any way allow public prostitutes to stay in their houses, or who permit them to be in their houses after they have understood that they are [prostitutes].

[15] Again, we denounce as excommunicates all pirates, or corsairs, namely those who rob merchants and other Christians of their goods at sea, on the rivers, or even on land.

[16] Again, those who receive or defend them, and those who offer advice, assistance, or favor to them in their evil deeds.

[17] Again, all the apostates of our diocese, men or women, namely those who, having abandoned or thrown off the religious habit, and living secular lives, returned to the world without the Church's permission.

[18] Again, all those who contract or have contracted a clandestine engagement or marriage, or who presume to be present at them.

[19] Again, we denounce as excommunicates all those who do not pay or cause to be paid to the Nicosia Church, wholly and in full, the tithes on all their possessions, animals, rents, and income, and who deduct seed, expenses, or requisitions, before the payment of the tithes, or who commit any fraud in paying them.

[20] The aforesaid were recited to the populace in the Great Cemetery of the Nicosia Church, on Palm Sunday, in the time of Lord Hugh, the elect of Nicosia, [who had been] consecrated, in the year of the Lord 1251, the ninth* of April, and in the same way in the following year.

*Translator's note on date: the "ninth Ides" of April, the translation of the Latin text as we have it, is problematic for two reasons: first, it calculates as 5 April, which would be called the "Nones of April" rather than the "ninth Ides." Second, in 1251 Palm Sunday fell on 9 April. But as was said in the introduction (p. 63), this appears to be a mixed text anyway, and the same document applies to "the following year," i.e. 1252. Thus in 1251 Palm Sunday was on "the ninth of April," in 1252 it fell on "the ninth Kalends of April" (i.e. 24 March, which would still have been called 1251!), in 1253 it fell on "the Ides of April" (i.e. 13 April), and in 1254 on "the Nones of April" (i.e. 5 April). Therefore, although the date as given is impossible, the error could be anywhere. Since, however, the proclamation was probably read out every Palm Sunday, the dating problem is not so important.

[Text D]

CONSTITUTIO HELIAE ARCHIEPISCOPI

De canonicis supernumerariis.

In nomine Domini, amen.

Nos, frater Helias, Dei et apostolicae sedis gratia archiepiscopus Nicosiensis, vigilantes attente circa honores et utilitates nostrae Nicosiensis [B] ecclesiae, considerantes quod propter jamdudum canonicos in eadem nostra ecclesia expectantes, ipsam nostram ecclesiam intolerabilia oportuit supportare, volentes itaque praedictis et indemnitati ipsius nostrae ecclesiae providere, de voluntate, beneplacito, consilio, et assensu venerabilium virorum dominorum Leodegarii de Nabinalis, decani, Baliani Guecii, Antonii Marbre, et Bernardi Coste, canonicorum, et capituli nostrae Nicosiensis ecclesiae, ibidem praesentium et ad hoc specialiter convocatorum, cum plures tunc non essent in eadem nostra ecclesia canonici residentes, nec in loco ubi citari vel vocari deberent, praesenti nostra constitutione sancimus, statuimus, et ordinamus quod de caetero nullus canonicus, quantumcumque¹⁴⁷ sit in sacris ordinibus constitutus, sub expectatione praebendae vocem in capitulo et stallum in choro sibi debeat vendicare, nec amucias¹⁴⁸ deferre de vario seu pro festis duplicibus aliquid de secreta nostra, vel aliunde, vel exenia aliqua recipere, nec in aliquo se tanquam canonicus intromittere, donec praebendam fuerit pacifice assecutus. Et praedictam nostram constitutionem mandamus et volumus debere de caetero inviolabiliter observari, non obstantibus quibuscumque consuetudinibus ipsius ecclesiae retroactis temporibus observatis. [D]

¹⁴⁷. quantumcumque] quantumque CM ¹⁴⁸. Almuce: a furred hood worn in church services in bad weather.

[Text D]

REGULATION OF ARCHBISHOP ELIAS

Concerning the Overabundance of Canons.

In the name of the Lord, amen.

We, Brother Elias, by the grace of God and the Apostolic See archbishop of Nicosia, paying careful attention to what is honorable and useful for our Church of Nicosia, considering that, because of those who have been long awaiting canonries in our church, it was necessary for the church to bear intolerable things, wishing therefore to provide for the aforesaid [people] and for the financial well-being of our church – with the will, pleasure, advice, and assent of the venerable men Lords Leodegar of Nabinaux, dean, Balian Guecius, Anthony Marbre, and Bernard Coste, canons, and the chapter of our Church of Nicosia, [who are] present in that place and specially summoned to this purpose since at that time there were no more canons resident in our church, nor in the place where they are supposed to be cited or called – , decree, establish, and ordain by the present regulation that from now on no canon, however he be positioned in holy orders, ought to lay claim to a say in the chapter or a stall in the choir for himself in the expectation of a prebend, nor exchange one almuce for another, nor receive anything from our Secrète nor any gifts from elsewhere for double feasts, nor present himself as a canon in any matter, until he obtains the prebend peacefully. And we command and want that our aforesaid regulation be observed from now on without violation, not withstanding certain customs of the same church that were observed in bygone times.

[Text E]

ORDINATIONES SEU INSTITUTIONES

*domini Odonis Tusculani episcopi, apostolicae sedis legati in regno Cypri,
anno MCCXLVIII.*

[a] Odo, miseratione divina Tusculanus episcopus, apostolicae sedis legatus, universis praesentes litteras inspecturis, salutem in Domino. Considerantes quod dispensatio nobis credita est unde vae nobis si tacuerimus, vel si non sparserimus, ad Nicosiensem ecclesiam personaliter accedentes, ibidem visitationis officium impensuri.¹⁴⁹ Quia juxta canonicas sanctiones, visitationis officium exercentes praedicationi et exhortationi, correctio[E]ni et reformationi debent intendere, post praedicationis et exhortationis a nobis verbum propositum, prout Dominus ministravit, tam venerabilem patrem E[ustorgium], archiepiscopum, in verbo sacerdotis, quam personas et alios canonicos¹⁵⁰ et clericos ejusdem ecclesiae astrinximus juramento, quod super his quae correctionis vel reformationis bono in capite, aut in membris, ac statu ipsius [338] ecclesiae indigent, nobis quam scirent dicerent veritatem.

I. Itaque, quia circa statum ecclesiae quaedam per inquisitionem factam invenimus reformanda, et¹⁵¹ quaedam etiam corrigenda, in primis quoniam quod salubriter a sanctis patribus extitit diffinitum, ut videlicet synodus seu episcopale concilium bis in anno certis [2401A] temporibus ad correctionem excessuum et morum informatio[738]nem, necnon et provinciale concilium annis singulis, celebretur, in quo de his quae pertinent ad totius provinciae bonum statum communiter ordinetur, majoresque insuper audiantur querelae,¹⁵² in tota Cypri ecclesia, non sine culpa maxima, invenimus omnino neglectum, districte praecipimus ut tam episcopalis synodus quam provinciale concilium in ecclesia regni Cypri de caetero annis singulis habeantur, in quibus ea diligenter et devote tractentur quae in sacris ordinibus continentur et ad pacem et salutem pertinent animarum. Caveant autem tam archiepiscopus quam episcopi regni Cypri ne nostrum praeceptum negligant in hac parte, quia si in hoc eorum aliquem amplius culpabilem inveneri[B]mus,¹⁵³ poterunt non immerito formidare ne ab eis exigamus culpam tam praeteritam quam praesentem.

II. Et licet fuerit in Lateranensi concilio salubriter ordinatum ut in singulis cathedralibus ecclesiis de grammatica, et in metropolitanis similiter et nuper de

149. impensuri] impersuri CM 150. canonicos] cononicos C 151. et *omit* CM 152. querelae] quaerelae M 153. invenerimus] in venerimus M

[Text E]

REGULATIONS OR INSTITUTIONS

of Lord Eudes, Bishop of Tusculum, Legate of the Apostolic See in the Kingdom of Cyprus, in the Year 1249.

[a] Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to all those who will see the present letters, greetings in the Lord. We consider that the administration was entrusted to us – woe to us if we were to pass it over in silence or if we did not proclaim it – to come to the Nicosia Church personally, to carry out the duty of visitation there. Because according to the canonical decrees those who exercise the duty of visitation must focus on preaching and exhortation, correction and reformation, after we put forth words of preaching and exhortation as furnished by the Lord, we bound both the venerable father Archbishop E[ustorge] by his word as priest, and the dignitaries and other canons and clerics of the same church by oath, to tell us what they knew to be the truth concerning the matters that need the benefit of correction or reformation in the head or in the members and concerning the condition of the church.

I. And so we found through the examination that we made surrounding the condition of the church that there are certain things that should be reformed and also others that should be corrected. First of all, we found that the whole Church of Cyprus had completely neglected, and not without serious fault, what the Holy Fathers salutarily determined, namely that twice a year at fixed times an episcopal synod or council should be held for the correction of offenses and the development of morals, and also that a provincial council should be held annually, in which things that pertain to the good condition of the entire province should be set in order as a whole and important cases should be heard. Therefore, we strictly order that from now on both the episcopal synod and the provincial council should be held every year in the Church of the Kingdom of Cyprus, in which councils the matters that are contained in the sacred statutes and pertain to the peace and salvation of souls should be dealt with diligently and with devotion. Moreover, both the archbishop and the bishops of the Kingdom of Cyprus should take care not to neglect our precept on this matter, because if we find any of them culpable in this anymore, not unduly they will fear lest we take them to account for their earlier guilt as well as for the present one.

II. It was beneficially ordained in the [Fourth] Lateran Council that there should be masters of grammar in all cathedral churches, and also as a novelty

theologia, habeantur magistri,¹⁵⁴ qui alios instruant ignorantiam effugere in seipsis, quae est mater cunctorum errorum, et imbuere alios scientiae margarita, et hoc tamen statuto tam utili nullus aut modicus in regno Cypri fructus provenierit hactenus, cum, sicut dolentes referimus, illud ibidem vix aut nunquam extiterit observatum, propter quod praeter tantae transgressionis culpam, qua graviter offenderunt [C] oculos maiestatis Divinae, timendum valde est hoc negligentibus, quod procul dubio ab eis ratio districtissime exigetur pro animabus tam illorum quam suorum subditorum, cum essent caeci et caecorum duces, cum his quos duxerint lapsi sunt in foveam infernalem,¹⁵⁵ quam illorum etiam quos duxerint.¹⁵⁶ Quos etiam tanto minus constat excusabiles esse in hac parte quanto a locis in quibus super praedictis habetur studium remotiores existunt, cum vel paupertate coacti, vel locorum distantia, aut difficultate viarum territi, vel maris periculo, illuc ubi studetur pauci, vel nulli, de his partibus ire audeant sive possint. Volentes igitur morbo tam gravi ac periculoso celeri remedio subvenire ne et nos etiam hoc negli[D]gentes cum negligentibus condemnemur, districte et sub interminatione Divini iudicii praecipimus archiepiscopo Nicosiensi quatenus, omni mora, excusatione, aut difficultate postpositis, magistros de theologia et grammatica in civitate Nicosiensi de caetero esse faciat et docere, quibus provideatur juxta statuta concilii antedicti. Et nihilo minus, si opus fuerit, ut omnis impedimenti tanti boni tollatur materia, amplioribus beneficiis inducantur, quos gratis docere volumus ne aliquo exactionis timore scholares se subtrahant a discendo. Et haec eadem praecipimus suffraganeis ecclesiae Nicosiensis circa magistros grammaticae facultatis.

III. Ad haec, tam archiepiscopo quam episcopis, aut vicariis eorundem, districtissime prohibemus ne ad [E] excommunicandum sint fa[339]ciles aut ex levi causa excommunicationis sententias fulminent in subjectos, quia ex hoc subrepat contemptus clavium et multa pericula proveniunt animarum.

IV. Caeterum, quia totum quicquid agimus ad hoc debet tendere ut animarum provideatur saluti, praecipimus tam archiepiscopo quam episcopis ut in suis ecclesiis magistros capellanos, qui curam teneantur agere animarum, non sicut hactenus omnino illi[739]teratos instituunt, sed potius tales qui alicujus saltem litteraturae existant, ut artium artis, curae videlicet animarum, aliquam peritiam habeant et tanquam dociles ad studium excitentur, quos perpetuo volumus in suis remanere officiis, nisi justa causa quo[2402A]cumque ipsos exigit amoveri. Quibus etiam volumus in Nicosiensi ecclesia quadraginta, et in aliis viginti

154. Cf. Lateran IV, canon 11. 155. Cf. Matthew 15.14. 156. This last phrase appears corrupt.

masters of theology in the metropolitan cathedrals, who might instruct others to escape from their own ignorance, which is the mother of all errors, and to fill others with the pearls of knowledge. Nevertheless, even with such a useful statute, so far no fruit or very little has appeared in the Kingdom of Cyprus, since, as we sadly relate, it scarcely or never is seen to be observed there. Because of this, besides the sin of so great a transgression, with which they greatly offended the eyes of the divine majesty, those who neglect this must greatly fear that they will certainly be brought to the strictest account [on the Day of Judgment], both for their own souls and for the souls of their subjects – since they are blind and leaders of the blind, they have fallen, along with those whom they should lead, into the infernal pit [cf. Matthew 15.14] – and also for the [souls] of those whom they should lead. It stands to reason that the farther away [the students] live from the places where there is a school, the less excusable [the negligent] are in this regard, since, constrained by poverty, or frightened by the distance between places, or the difficulty of the roads, or the danger of the sea, few or no [students] dare go or are able to go from these areas to where there are studies. Wishing, therefore, to cure so grave and dangerous a sickness with a quick remedy, lest we also be condemned for neglecting this along with the negligent ones, we strictly order the archbishop of Nicosia, with the threat of divine judgment, with every delay, excuse, and difficulty put aside, to make sure that from now on there are masters of theology and grammar teaching in the city of Nicosia, as provided for according to the statutes of the aforesaid council. Moreover, if necessary, to remove every manner of impediment to such a good, those whom we wish to teach [others] for free should be enticed by more benefices, so that scholars will not withdraw from learning for any fear of the cost. We also order these same things of the suffragans of the Nicosia Church with respect to masters of the grammar faculty.

III. We strictly forbid both the archbishop and the bishops or their vicars from resorting to excommunication easily or from fulminating sentences of excommunication against their subjects for no serious reason, because the contempt of the keys gradually arises because of this, and many dangers to souls are brought forth.

IV. On another matter, because all that we do must tend toward providing for the salvation of souls, we order both the archbishop and the bishops not to install in their churches, as they have until now, completely illiterate master chaplains who are obliged to pursue the care of souls, but rather they should put in such [master chaplains] who are least somewhat lettered, so that they have some experience of the art of arts, namely the care of souls, and are intelligent enough to be encouraged to study. We want them to remain in their positions perpetually, unless a just cause requires their removal. Also, we want those in the Nicosia Church to be furnished with forty more white bezants than what they customarily receive now, and those in

quinque, Bysantios albos, ultra id quod nunc de more percipiunt, ut honestius ac libentius serviant, exhiberi, et etiam ut propter victus tenuitatem non compellantur extendere ad illicita manus suas.

V. In aliis etiam parochiis, tam civitatum quam dioecesium, idonei et perpetui instituantur presbyteri, quibus, ne in opprobrium cleri mendicare cogantur et se propter inopiam a suis parochiis absentare, praecipimus ut cuilibet consueti redditus, sine diminutione aliqua aut difficultate, debitis temporibus persolvantur. Et ut quaelibet parochia ornamenta decentia, et libros, et calicem argenteum¹⁵⁷ habeat, jubemus districte. Et quia intelleximus a pluribus fi[B]de dignis quod paucae sunt parochiae Latinorum in dioecesi Nicosiensi, propter quod nonnunquam plura proveniunt pericula animarum, volumus et praecipimus Nicosiensi archiepiscopo ut ad praesens unam de novo statuatur parochiam in casali suo de Fandia, vel ibi prope, ubi magis cognoverit expedire.

VI. Ut autem tam personae quam canonici, assisii, et alii clerici, propter moram aut difficultatem solutionis eorum quae percipere debent, occasionem nullam habeant se a Divinis, seu ecclesiae officio subtrahendi, districte praecipimus ut ea quae consueverunt percipere ipsis integre suis temporibus et sine difficultate qualibet persolvantur, quia non est mi[C]nima poena non solum frequenter, sed vel etiam quotiescumque, respicere ad manus alienas.

VII. Quia vero ex eo quod, cedentibus vel decedentibus ecclesiarum praelatis, vix invenitur aliquis qui possessiones, redditus,¹⁵⁸ aut jura noverit ecclesiarum, nonnumquam contingit ecclesiis circa sua jura multa pericula provenire, ut contra morbum hujusmodi salubriter provideatur ecclesiis, ordinamus atque praecipimus tam archiepiscopo quam episcopis et aliis praelatis ecclesiarum regni Cypri quatenus infra duos menses omnes possessiones, redditus, atque jura ecclesiarum suarum investigent diligenter et fideliter, atque distincte conscribant tradantque suis capitulis unam scripturam suo sigillo muni[D]tam, in suis archivis diligentius conservandam, aliamque ejusdem tenoris ipsi conservent similiter sigillatam.

VIII. Adjicimus etiam antedictis ut tam archiepiscopi quam episcopi, sollicitius et libentius quam huc usque fecerint, Divinis atque spiritualibus rebus intendant, et his quae ad salutem pertinent animarum, spiritualia temporalibus praeponentes, et non e converso, ordine perturbato. Quia si hoc fecerint quod ju[340]bemus, juxta veritatis verbum “haec omnia adjicientur” dum primo tam sibi quam suis subditis quaesierint regnum Dei.¹⁵⁹

157. argenteum] argentum C 158. redditus] reditus M 159. Matthew 6.33.

the other churches with twenty-five more white bezants, so that they serve more respectably and willingly, and so that they are not forced to stretch their hands to illicit things because of the poverty of their livelihood.

V. Capable and permanent priests should also be installed in the other parishes both of the cities and the dioceses. And so that they will not be forced to beg to the scandal of the clergy, and to be absent from their parishes on account of need, we order that the customary incomes be paid at the required times to each of them, without any decrease or difficulty. And we strictly order that each parish should have fitting decorations, and books, and a silver chalice. And because we have learned from many trustworthy people that there are few parishes of the Latins in the Nicosia diocese, on account of which many dangers to souls are arising, we want and order the Nicosia archbishop to set up, for the present, one new parish in his casale of Aphanias, or near there where he thinks best.

VI. So that both dignitaries and canons, assized, and other clerics have no occasion to withdraw from divine offices or from their duty to the Church on account of a delay or difficulty in the payment of what they are supposed to receive, we strictly order that they are to be paid what they are accustomed to receive in full, on time, and without any difficulty, because it is no small suffering to have to resort frequently or even every time to the hands of others.

VII. Because when the prelates of churches resign their post or die it is difficult to find anyone who understands the possessions, incomes, or rights of the churches, it sometimes happens that many dangers arise for the churches regarding their rights. Thus in order to provide for the health of the churches against the disease of this sort, we order and command both the archbishop and the bishops and other prelates of the churches of the Kingdom of Cyprus to examine diligently and faithfully all possessions, incomes, and rights of their churches within two months, and to write them down separately, and hand over a written copy protected with their seal to their chapters, to be kept most carefully in their archives, and they themselves should keep another similarly sealed copy of the same text.

VIII. To what was said before we add that both archbishops and bishops should attend to divine and spiritual matters and to what pertains to the salvation of souls more carefully and willingly than they have done up until now, putting spiritual things before temporal things, and not vice-versa, with the order confused. Because if they do what we command, according to the Word of Truth all of these things will be added to them and their subjects when they first seek the Kingdom of God [cf. Matthew 6.33].

IX. Ad hoc, quia aliquando, sicut dicitur, decanus fuit in Nicosiensi ecclesia, licet hoc in dubium revocetur, et praecipue quia invenimus quod dicta [E] ecclesia maxime indiget hujusmodi personatu, statuimus ut in Nicosiensi ecclesia de caetero sit dignitas decanatus, percipiatque decanus quantum duo canonici, et habeat [740] curam animarum personarum, canonicorum, et clericorum ecclesiae memoratae. Iurisdictionem tamen aliquam contentiosam non habebit. Sitque major persona post archiepiscopum, tam in capitulo quam in choro. Vigiletque circa bonum et honestum statum tam spiritualium quam temporalium omnium ecclesiae supradictae. Volentes ut idem decanus in Nicosiensi ecclesia ad residentiam continuam teneatur, et ut super hoc in sui receptione praestet corporaliter iuramentum. Si vero qui electus fuerit in decanum sacerdos non fuerit, in institutione sua iurabit quod [2403A] infra annum in sacerdotem se faciat promoveri. Cum vero decanus receptus fuerit, archiepiscopo Nicosiensi homagium facere teneatur. Decani vero electio ad capitulum pertineat, ita quod de ipsius gremio ecclesiae fiat. Confirmatio vero et institutio ad archiepiscopum pertinebit.

X. Verum quia invenimus quod antiquitus, quando longe minus abundabat in redditibus eadem ecclesia, sexdecim fuere in ea canonici, licet postea paulatim per negligentiam hujusmodi numerus multum extiterit diminutus, quanquam multum excreverint, sicut comperimus, redditus ecclesiae memoratae, statuimus ut in eadem ecclesia de caetero XII canonicorum numerus habeatur, qui, si non resideant, nihil percipiant de eadem, nisi de licentia archiepiscopi, cum consensu capituli, fuerint absen[B]tes causa studiorum, aut captivi ab hostibus teneantur, vel pro negotiis ecclesiae, aut capituli si cum archiepiscopo causam habeant, absentes fuerint, et tunc solus consensus capituli exigatur. Poterit autem archiepiscopus unum aut plures secum habere de suis canonicis, et similiter episcopi, juxta canonicas sanctiones. Insuper ordinamus ut post mortem canonici ejusdem ecclesiae, alius canonicus substitutus eidem et residens integre percipiat omnia sicut suus perceperat praedecessor.

XI. Ad hoc ut pensum suum omnes jugiter in ecclesia ubi beneficium percipitur Deo reddant, nisi causa probabili excusentur, statuimus ut canonicus¹⁶⁰ qui de aliquo sibi ascripto defectum fecerit in sex [C] denariis pro vice qualibet puniatur. Assisius vero qui secundum tabulam in defectu fuerit vel horis defuerit districtius corrigatur.

XII. Et quia Nicosiensis ecclesiae ordinarium,¹⁶¹ prout intelleximus, in multis deficit, propter quod in eadem ecclesia frequenter contingit servitium fieri perturbate, praecipimus ut ad [mg: Deest forte: exemplum] alicujus magnae et

160. canonicus] eanonicus L 161. Ordinary: the parts of the Mass remaining constant.

IX. Because at one time, as it is said, there was a dean in the Nicosia Church – although this has been called into doubt – and, more importantly, because we have found that said church has great need of someone of this rank, we decree that from now on there shall be the rank of dean in the Nicosia Church, and the dean shall receive as much as two canons and be occupied with the care of the souls of the dignitaries, canons, and clerics of said church. He will not have any jurisdiction in disputes, however. And he shall be the highest ranking dignitary after the archbishop, both in the chapter and in the choir, and he will look after the good and respectable condition of all the affairs, both spiritual and temporal, of the above said church. We wish the same dean to be obliged to reside continuously in the Nicosia Church, and on his reception he should personally take an oath concerning this. But if he who is elected dean is not a priest, when he is installed he shall swear to have himself promoted to the priesthood within one year. When the dean has been received, he is bound to do homage to the Nicosia archbishop. The election of the dean, however, is to rest with the chapter, so that he comes from the heart of the same church, but his confirmation and installment will belong to the archbishop.

X. Because we learned that in times long past, when the church's income was much lower, there were sixteen canons in it, although afterwards this number gradually became much reduced through negligence even though, as we have discovered, the income of said church increased much, we decree that from now the canons in the church should number twelve. They shall not receive anything from the church if they do not reside in it, unless they are absent because of their studies, with the permission of the archbishop and with the consent of the chapter, or are held captive by enemies, or are absent carrying out the business of the church, or the chapter, if they have a legal issue with the archbishop, in which case only the consent of the chapter is needed. The archbishop will be able to have one or more of his canons with him, and the bishops similarly, in accordance with the canonical decrees. Moreover, we establish that after the death of a canon of the church, the other canon substituted for him and residing there should receive everything that his predecessor had received in full.

XI. In order that everyone continually performs his duty to God in the church where he receives a benefice, unless he is excused for an acceptable reason, we decree that a canon who is absent in something assigned to him shall be penalized six denarii each time. But someone assized who is absent according to the table, or misses hours, should be corrected more strictly.

XII. And because the ordinary of the Mass of the Nicosia Church is defective in many ways, as we have learned, and on account of this it often happens that the service is performed with confusion in that church, we order that said

saecularis ecclesiae regni Hierosolymitani dictum ordinarium reformetur, et ut in diebus profestis in matutinis lectiones legantur in medio choro, non in pulpito, de quo ab his qui sunt in choro parum auditur aut nihil.

XIII. Cumque etiam invenerimus aliquando fuisse ab ecclesia Cypri in provinciali concilio statutum ut canonici Nicosienses in sua ec[341]clesia, per se vel per [D] vicarios, faciant septimanas, et hoc fuisse neglectum, nos justum reputantes et sanctum ut qui sentit commodum expers minime sit laboris, hoc idem in eadem ecclesia praecipimus de caetero inviolabiliter observari. Sed volumus ut per vicarium non canonicum tunc servire possit canonicus, cum secundum consuetudinem Nicosiensis ecclesiae, vel aliarum ecclesiarum regni Hierosolymitani, persona canonica alicui servitio specialiter deputetur. [741]

XIV. Volumus etiam ut persona duos clericos non assisios, et canonicus unum, in domo secum teneant, qui et eos associant et ex quibus numerus servientium in ecclesia augmentetur. [E]

XV. Inhibemus praeterea ne aliquis chorum ingrediatur post primum "Gloria patri" primi psalmi, et ne ingressus ante finem illius horae, sine causa rationabili, exeat, vel in choro loquatur, nisi de his quae pertinent ad officium quod tunc fiet. Sed nec discalceatus aut sine caligis quisquam in choro compareat sive in habitu inconsueto vel etiam inhonesto. Quod si quis circa hoc quod de choro vel ejus honestate statuimus deliquerit, per cantorem, si fuerit in minoribus ordinibus, vel per Decanum, si fuerit in majoribus ordinibus, corrigatur, salvo tamen aliis juribus et honoribus cantori Nicosiensi, [2404A] secundum consuetudinem in eadem ecclesia hactenus observatam.

XVI. Quia vero, praesertim secundum haec mala tempora, maximam decet circa sigilli custodiam diligentiam adhibere, volumus ut sigillum capituli sub duabus custodiatur clavibus, quae aliquibus discretis de capitulo per ipsum capitulum committantur, quas sine difficultate, cum voluerit capitulum, repetere poterit aliis de capitulo committendas.

XVII. Insuper comperimus, quod tamen aegre ferimus, non sine praesumptione damnabili et scandalo laïcorum, in Nicosiensi ecclesia iam pro consuetudine observatum, quae dicenda est potius corruptela, ut cum processio pro mortuo petitur, ante omnia certa pecunia vel fidejussores aut pignora exigantur; similiter pro campanarum pulsatione, et fossa [B] pro mortuo facienda. Et etiam tam in sponsalibus quam in matrimoniis contrahendis, et dum

ordinary be reformed according to that of a great secular church [such as the Church] of the Kingdom of Jerusalem, and that on common days in Matins readings should be read in the middle of the choir and not from the pulpit, from which those who are in the choir hear little or nothing.

XIII. And since we have also found that at one time, in a provincial council, the Church of Cyprus established that the canons of Nicosia should do week services in their church, either by themselves or through vicars, and this has been neglected, and since we consider it just and holy for the person who enjoys an advantage not to be free from labor, we order this to be obeyed from now on in this church without violation. But we want the canon to be able to serve through a vicar who is not a canon at that time, since according to the custom of the Nicosia Church or other churches of the Kingdom of Jerusalem, the rank of canon should [only] be attributed to any service by special assignment.

XIV. We also want dignitaries to keep two non-assized clerics with them in their house, and canons to keep one; these will be their associates, and they will increase the number of those serving in the church.

XV. Furthermore, we prohibit anyone from entering the choir after the first “Glory to the Father” of the first Psalm, and we prohibit anyone who has entered from leaving the choir before the end of that hour without reasonable cause. We prohibit anyone from speaking in the choir except about those things that pertain to the service that is being held. Nor should anyone show up barefooted or without boots in the choir, or in an unusual or even disgraceful habit. If anyone should transgress with regard to what we are decreeing concerning the choir or its integrity, he shall be corrected by the cantor, if he is in minor orders, or by the dean, if he is in major orders. The other rights and honors due to the cantor of Nicosia according to the custom of the church observed until now should be preserved.

XVI. Because it is proper to maintain the greatest diligence in the custody of the seal, especially in these evil times, we want the seal of the chapter to be guarded with two keys that the chapter should assign to [two] separate members of the chapter. When the chapter wishes, it can ask for them back without obstructions and assign them to other members of the chapter.

XVII. Moreover, we have discovered, although it is painful to tell, and it is not without damnable audacity and scandal among laymen, that it has been observed as custom – rather one should say corruption – in the Nicosia Church that when a procession for the dead is requested, before all else fixed money or security deposits or pledges are demanded. Similarly, for tolling the bells and digging the grave for the dead, and also in contracting both engagements and marriages, and

pueri baptizantur, clericus unum bysantium vel plures de cereo quem ad honorem portant laïci violenter aufert, sicut nobis extitit intimatum. Quae omnia et singula, sive similia, tanquam perniciose districtissime prohibemus, volentes ut omnino nihil pro huiusmodi aut similibus exigatur. Sed praecipimus ut omnia exhibeantur liberaliter atque gratis. Quod si contingat laïcos circa huiusmodi laudabiles consuetudines non servare, ad illud compelli poterunt, juxta statutum habitum super hoc, “Ut fuerit rationis.”

XVIII. Quanquam autem lumen luminum quod [*mg*: Ioan. 1] “illuminat omnem hominem venientem in hunc mun[C]dum,”¹⁶² luce materiali non egeat, pia tamen fuit statutum devotione ut, dum¹⁶³ nostri redemptoris corpus ad infirmatum deportari contingit, ipsum ob sui reverentiam lumen materiale praecedat, nec tamen ad hoc tam modicum in ecclesia Nicosiensi est aliquis certus redditus deputatus. Unde – quod non sine rubore¹⁶⁴ referimus – contingit ut pro huiusmodi habenda candela pro ecclesia mendicetur. Nolentes itaque in hac parte Iesu Christi ignominiam sustine[342]re, praecipimus ut antequam cera quae provenit ecclesiae dividatur, tantum ad hunc usum accipiatur de ea, ut ei qui dat omnia detur aliquid, quod commode sufficiat usque ad partitionem sequentem.

XIX. Invenimus etiam quod canonici Nicosiensis ecclesiae in sui receptione iurabant secreta capitu[D]li et jura ecclesiae conservare. Sed quia jamdudum id neglectum extitit, praecipimus ut qui non juraverunt jam recepti, et qui recipiendi deinceps fuerint, praestent huiusmodi iuramentum. Non tamen intelligimus [742] ut in expensis propriis canonicus jura ecclesiae suae prosecui teneatur, vel solus, sed ut majori et saniori parti capituli, cum oportet, in his consentiat bona fide.

XX. Cum autem, sicut accepimus, novi panni serici, qui in lectis mortuorum apud Nicosiensem ecclesiam sive in ejus coemeterio sepeliendorum ponebantur, cedebant ad ipsius ornatum ecclesiae, et hoc fuisse a paucis temporibus immutatum, volumus [E] ut de caetero praedicto usui sine diminutione aliqua deputentur.

XXI. Licet autem sancti Dei sint a tota ecclesia honorandi, super quos post Christum sua jecit fundamenta, specialiter tamen ibidem eorum est habenda memoria veneranda ubi vitam finire temporalem, adipiscentes aeternam. Cum igitur non multos [*mg*: forte: nonnullos] apud Cyprum sanctos legamus ad dominum migrasse, videlicet Barnabam, Epiphanium, Hilarionem, Nicanorem,

162. John 1.9. 163. dum *omit* CM 164. rubore] rubone L

when children are baptized, the cleric violently grabs one or more bezants' worth of the candle wax that the laymen convey to honor [the occasion], according to what we have been told. We most strictly prohibit each and every one of these things or similar ones because they are pernicious, and we want nothing at all to be demanded for these or similar things. Rather we order that they shall all be done willingly and freely. And if it happens that laymen do not observe such praiseworthy usages, they can be compelled to do so, according to the statute concerning this that we have "For good reason."

XVIII. Although the Light of lights, which "enlighteneth every man that cometh into this world" [John 1.9], does not need material light, nevertheless in pious devotion it was decreed that when it happens that the body of our Redeemer is brought to a sick person, material light should precede it out of reverence to it. But in the Nicosia Church no fixed funds are designated to this end, modest as it is. Whence it happens – and it is not without shame that we relate this – that one has to beg for the church to have candles of this sort. Therefore, not wanting to support the disgrace of Jesus Christ in this matter, we order that before the wax that is given to the church is distributed, so much of it as is suitably sufficient to last until the next distribution should be taken for this purpose, so that something is given to Him Who gives all things.

XIX. We have also found that the canons of the Nicosia Church, on their reception [into the church], used to swear to preserve the secrets of the chapter and the rights of the church. But because this has been neglected for a long time now, we order that those who have already been received but who did not swear, and those who will be received later, shall take an oath of this sort. However, it is not our understanding that a canon should be obliged to pursue the rights of the church to his expense, or to do it alone, but that when it is necessary he should be in harmony in good faith with the majority and the saner part of the chapter.

XX. Since moreover, as we have learned, the new silk garments that used to be placed on the funeral beds of the dead who were to be buried in the Nicosia Church or in its cemetery used to become part of the decoration of that church, and this was changed in recent times, we want them to be allocated to the aforesaid purpose from now on, without any decrease.

XXI. Although the whole church should honor God's saints, on whom, after Christ, He laid His foundations, nevertheless their venerable memory is especially to be preserved where they ended their temporal life in attaining the eternal one. Therefore, since we read of several saints who departed to the Lord in Cyprus, namely Barnabas, Epiphanius, Hilarion, Nicanor, Tychicus, Jason, and

Titicum,¹⁶⁵ Iasonem, et Spiridionem, Aymonem et Alexandrum, Potamium et Nemesium, et pro tribus illorum tantum in Nicosiensi [2405A] Ecclesia intellexerimus novem fieri lectiones, nolentes ut aliis honor debitus subtrahatur, praecipimus ut per omnes ecclesias Latinorum in Cypro, in die festo cujuslibet praedictorum, fiant novem lectiones de martyribus sive confessoribus, prout decet.

XXII.¹⁶⁶ Et ut quantum possumus provideamus, ne quid desit cum sacerdotes oportet offerre hostiam salutarem, quando maxime offerentem cor decet habere pacatum, volumus ut, cum capellanum quem venerabilis E[ustorgius], Nicosiensis archiepiscopus, instituit, ut tam pro se quam pro suis praedecessoribus celebret, et Assisium qui tempore vicis suae in ecclesia Nicosiensi celebrat pro defunctis oportebit cantare, utrique ad serviendum sibi in Missa, aliquis de sub[B]diaconis vel acolytis per septimanas vicissim per tabulam sive matriculam deputetur.

XXIII.¹⁶⁷ [a] Ne autem praedicta per ignorantiam aut oblivionem aliquatenus negligantur, volumus ut tam archiepiscopus quam capitulum sub nostro sigillo ea recipiant duplicata, quorum unam scripturam archiepiscopi qui pro tempore fuerint custodiant, altera vero penes capitulum conservetur. Et nihilominus in aliquo magno ipsius ecclesiae libro, in fine vel in principio, transcribantur, ut eorum copia et notitia ab omnibus de ecclesia facile habeatur.

[b] Actum anno Domini MCCXLVIII, mense [C] Martio. [343]

165. Lege: Tychicum ex martyrologio Rom. 29 April. H. *add in margin* CM. 166. XXII] XXI L
167. XXIII] XXII L

Spyridion, Aymon, and Alexander, Potamios and Nemesios, and we have learned that nine readings are performed in the Nicosia Church for only three of them, we do not wish the honor owed to the rest to be taken away from them. So we order that nine readings shall be performed in all the churches of the Latins in Cyprus on the feast day of each of the aforesaid martyrs or confessors, as is proper.

XXII. And so that, as much as we are able, we may ensure that no error is made when the priests are to offer the salvific host, when it is especially important for the person who is offering it to have a peaceful heart, therefore, when the chaplain whom the venerable E[ustorge], archbishop of Nicosia, appoints to celebrate [Mass] both for himself and his predecessors, and the assized who at times celebrates in his place [the Mass] for the dead in the Nicosia Church, are required to say [Mass], we want one of the subdeacons or acolytes to be assigned to each of them for serving him during Mass for weeks at a turn, using a table or a list.

XXIII. [a] Lest the aforesaid [regulations] be neglected in any way through ignorance or forgetfulness, we want both the archbishop and the chapter to receive duplicates of them with our seal, of which the archbishops who will reside here in time will keep one copy, and the other will be preserved in the chapter. Moreover, they shall be transcribed in a large book of this same church, at the end or at the beginning, so that everyone of the church will have easy access to a copy and an awareness of them.

[b] Done in the year of the Lord 1249, in the month of March.

[Text F]

CONSTITUTIO ODONIS LEGATI

Contra Simoniacos.

Lata in concilio provinciali Syriae, anno MCCLIV.

[1] Venerabili in Christo patri H[ugoni], Dei gratia archiepiscopo Nicosiensi, vel ejus vicariis, Odo, miseratione Divina Tusculanus episcopus, apostolicae sedis legatus, salutem et sinceram in Domino caritatem. Noverit paternitas vestra nos, zelantes animarum providere saluti, volentesque tollere [D] scandalum laïcorum et quasdam consuetudines abusivas quae per partes cismarinas invaluerunt et per quas decoloratur honestas [743] ecclesiae, de consilio et consensu praelatorum Syriae, nuper edidisse quaedam statuta, quorum tenor talis est:

[2] Legitur quod primus gradus innocentiae est odisse nefanda, nec prodest alicui non puniri proprio qui puniendus est alieno peccato. Hinc est quod propheta, petens mundari ab occultis propriis, precatus est ut ei parcat ab alienis peccatis quae habenti potestatem corrigendi fiunt propria, si ea corrigere negligat vel omittat. Nos igitur, praecavere volentes ne nobis aliena crimina imputentur, cum nobis, licet indignis et insufficientibus, ex injuncto officio [E] incumbat evellere et destruere, disperdere et dissipare vitia, et aedificare et plantare virtutes, quaedam quae non plantavit pater coelestis intendimus evellere ex agro cujus custodia nobis a Domino est commissa.

[3] Frequens necnon et assidua nos querela circumstrepit, et in tantum clamor ascendit contra clericos cismarinos quod ipsum dissimulare ulterius sine scandalo non valemus, nec sine periculo tolerare. In multis siquidem casibus deformatur et decoloratur honestas ecclesiae cismarinae, derogaturque statutis sanctorum patrum, per quasdam abusiones et perversas consuetudines quae debent dici potius corruptelae. In nonnullis enim ecclesiis cismarinis delinquunt clerici contra ecclesiastica sacramenta, expo[2406A]nendo ea venalia, quod fieri non potest sine vitio simoniace pestis quae, sicut sua magnitudine alios morbos vincit, ita sine dilatione, mox ut eius signa claruerint, debet de Dei ecclesia eliminari radicitus et propelli. Dicitur enim quod, cum quis

[Text F]

THE LEGATE EUDES'S REGULATION

Against Simoniacs.

Promulgated in the Provincial Council of Syria, in the Year 1254.

[1] Eudes, by divine mercy bishop of Tusculum, legate of the Apostolic See, to his venerable father in Christ Hugh, by the grace of God archbishop of Nicosia, or his vicars, greetings and sincere love in the Lord. Your paternity should know that we, working zealously to look out for the salvation of souls and wanting to remove the scandal of laymen and certain abusive customs that are prevalent on this side of the sea and that stain the Church's reputation, have recently published certain statutes with the advice and consent of the prelates of Syria. Their tenor is as follows:

[2] One reads that the first level of innocence is to hate abominable things, nor is it useful for anyone not to be punished for his own sin, if he is to be punished for the sin of another. That is why the prophet, seeking to be cleansed of his own hidden sins, prayed to be spared from other sins, which become one's own to him who has the power to correct them, if he neglects or fails to correct them. Therefore, we wish to make a forewarning, lest alien crimes be imputed to us, since although we are unworthy and insufficient, it is incumbent on us by the duty enjoined on us to root out and destroy, ruin and set to flight vices, and build and plant virtues. We intend to eradicate from the field, whose care has been committed to us by the Lord, certain things that the Celestial Father did not plant.

[3] A frequent and indeed incessant complaint surrounds us, and the outcry against clerics on this side of the sea is getting so loud that we are not capable of ignoring it any further without scandal, nor of tolerating it without danger. Indeed certain abuses and perverse customs, which should rather be called corruptions, in many cases disgrace and stain the integrity of the Church of Outremer, and detracts from the decrees of the Holy Fathers. For in some churches of Outremer clerics transgress against the ecclesiastical sacraments by putting them up for sale, and this cannot occur without the vice of the plague of simony which, just as it conquers other diseases by its size, must be removed by the roots and ejected from God's Church without delay, once its signs manifest themselves. For it is

elegerit sepulturam in coemeterio sancti Nicolai Acconensis, vel alibi in coemeteriis in cismarinis partibus constitutis, canonici seu clerici processionaliter prosequi nolunt corpus defuncti nisi pro processione certum stipendium habeant, quod postmodum inter se dividant, societatis humanae vinculum contemnentes et fidei quae quadam fraternitate nos unit et mutua servitia nos admonet gratis ad invicem impartiri.

[4] Item, cum propinqui defuncti faciunt fieri [B] aliquod monumentum lapideum in coemeterio subtus terram, coguntur solvere unam litram olei, quae continet IV quarteronos, vel aliud precium, clericis ecclesiae ad quam spectat illud coemeterium, nec aliter sine precio possunt super hoc licentiam obtinere.

[5] Item, cum in coemeteriis monumentum sive aedificium fit per aliquem qui quandoque alicubi ad hoc est specialiter constitutus, vel alium, ipse certum pretium recipit pro la[344]bore, de quo duas partes recipit pro labore et tertiam recipit ecclesia cujus est coemeterium, et quandoque aliam portionem.

[6] In quibus duobus articulis proximis terram sanctam [C] ministri ecclesiae in qua talia fiunt videntur vendere, immemores ejus quod, dum Abraham ab Ephron sepulcrum ad humandum corpus suae conjugis precio postularet, Ephron primo precium accipere renuit ne commodum ex cadavere videretur consecutus.¹⁶⁸ Si ergo tantae considerationis vir paganus fuit, quanto magis nos sacerdotes et clerici, qui fideles sumus, hoc facere non debemus?

[7] Item, quidam, ut dicitur, pro puero baptizando, cum portatur ad fontes, certum precium exigunt, et pro alba sive veste candida, quae sacra vestis est, si indigenti vel non habenti pro puero baptizando accommodetur, certum similiter precium exigunt, licet postmodum restituat[744]tur eisdem.

[8] Item, et cereum, qui propter honorem bap[D]tizati ac parentum ad domum eorum cum puero accensus deportatur, exigere, nec aliter deportare permittunt, nisi prius cautione recepta quod restituatur eisdem, licet neutrum istorum inter oblationes necessarias numeretur.

[9] Item, pro sponsalibus contrahendis exiguntur a praelatis quibusdam tres solidi, sive raboinus¹⁶⁹ unus, vel aliud precium, nec volunt aliter suam praesentiam exhibere.

[10] Item, et cum matrimonium volunt contrahentes in facie ecclesiae solemnizare, quadraginta tres denarij vel aliud precium primitus extorquetur ab eis, nec aliter volunt praelati quidam ad ea suum officium aut ministerium exhibere, vel facere solemnitates, vel concedere ut fiant.

168. Cf. Genesis 23.11-15. 169. monetae genus in regno Hierosolymitano et Cyprio, inquit DuCangius in Glossario *add in margin* CM

said that when someone chooses burial in the cemetery of Saint Nicholas of Acre, or somewhere else in the cemeteries situated in the areas of Outremer, canons or clerics do not want to follow the corpse of the deceased in procession unless they obtain a fixed stipend for the procession which they later divide among themselves. They thus despise the ties of human society and of the faith that unites us with a certain brotherhood and admonishes us to share with each other freely in mutual service.

[4] Again, when the deceased's relatives have a stone monument made in the ground in the cemetery, they are forced to pay one gallon of oil, which contains four quarts, or some other price, to the clerics of the church to which the cemetery belongs, nor can they obtain permission for this in any other way without a price.

[5] Again, when a monument or structure is made in the cemeteries by someone who has been appointed for that special task at the time and in the place in question, or by someone else, he receives a fixed price for his labor, of which he gets two thirds for the job and the church that owns the cemetery gets one third, and sometimes another portion.

[6] In both of these last cases it appears that the administrators of the church in which these things occur are selling holy land, not mindful of the fact that when Abraham asked Ephron for a place of burial for his wife's body, [offering] a price, Ephron first refused to accept the price so that he would not appear to pursue profit for a cadaver [cf. Genesis 23.7-15]. So if a pagan man showed such consideration, how much more must we priests and clerics, who are of the faith, avoid doing this?

[7] Again, some require a fixed price, as is said, for baptizing a child when he is brought to the font. And they similarly require a fixed price for a white or shining garment, that is holy cloth, if, for the occasion of baptizing a child, it is lent to a poor person or to one who does not have any, although it is given back to [the clerics] afterwards.

[8] Again, they require [a sum] for the candle that, for the honor of the baptized and the parents, is lit when it is carried with the child to their house, nor will they allow them to carry it otherwise unless they have received a security so that [the candle] will given back to [the clerics], although neither of these is counted among the necessary offerings.

[9] Again, certain prelates require three solidi, or one raboinus, or some other price, for contracting engagements, otherwise they do not want to show their presence.

[10] Again, when those getting married wish to make it solemn in front of a church, first forty-three denarii or some other price is extorted from them, otherwise some prelates do not want to perform their office or duty at the wedding, or perform the ceremony, or allow it to be celebrated.

[11] Item, et pro officio circa celebrationem nuptiarum impendendo quoddam ferculum et duas phia[E]las vini, vel aliquod simile precium, a nubentibus exigunt et extorquent.

[12] In quibus praedictis multum offendunt canones et ecclesiasticae derogant honestati, cum secundum beatum Gregorium, dignum sit ut, sicut ordines, praelaturas, et beneficia ecclesiastica gratis accipiunt, ita ea quae ad eorum spectant officium gratis distribuere petentibus teneantur.¹⁷⁰

[13] Item, asseruntur quidam sacerdotes et alii in sacris ordinibus constituti, sub colore servitii, tenere secum in domibus propriis quasdam mulierculas, cum quibus inhoneste, ut dicitur, aliqui conversantur, vel per ipsarum ministerium aliarum subintroductio aliquibus procuratur.

[14] Item, et aliud vitium irrepsit apud quosdam, quod quando aliqui contrahere volunt per verba de futuro sponsalia, poena pe[2407A]-cuniaria de matrimonio contrahendo apponitur, et quandoque certum tempus praefigitur infra quod contrahi matrimonium debeat, et plerumque fit sine temporis praefinitione. Et cum certum tempus apponitur, si non contrahant infra illud, quamvis postmodum velint contrahere, poena propterea praefixa petitur a praelatis ecclesiae, compelluntque partes ad solvendum sibi ipsam in utilitates proprias convertendam.

[15] Item, si post contracta sponsalia de futuro, poena apposita de matrimonio contrahendo, contrahentes se ad invicem velint absolvere, petitur a praelatis poena apposita et ab utraque parte in solidum extorquetur. Et si unam dissentire contingat, altera consentiente, petitur poena a dissentiente et [B] compellitur ad solvendum. Et plerumque etiam ab illo qui contrahere consentit, licet alter dissentiat, poena solita, vel pro parte exigitur, quod satis crude[345]le et avarum est ut innocens puniatur.

[16] Et in his casibus nituntur infringere sacras constitutiones quae matrimonia debere esse libera decreverunt, cum nihil sit in quo magis consensus liber et pacificus debeat. Nec locum habeat consensus ubi metus vel coactio intervenit, quae quodammodo partibus ingeritur, cum huiusmodi exactio intercedit, et ubi consensus cujusquam requiritur, oportet quod omnis coactionis materia repellatur. Si enim timore cogente dicat contrahens sibi placere quod displicet, saepe sequitur exitus, qui de invitis solet nuptiis pro[C]venire. Et in hoc casu responsum est de quadam quae contrahere recusabat quae monenda est potius quam cogenda, cum

170. Cf. Gregory the Great, *Letters*, e.g. book IX, nos. 106 and 109; XI, no. 46; XII, no. 28.

[11] Again, they also require and extort from the bride and groom a dish and two containers of wine, or some similar price, to perform their duty for the celebration of the nuptials.

[12] In the aforesaid things they offend the canons very much and they dishonor ecclesiastical integrity, since according to Saint Gregory it is proper that, just as they receive orders, positions as prelates, and ecclesiastical benefices for free, they should be bound to distribute for free what pertains to their office to those who ask.

[13] Again, it is asserted that certain priests and others who are in holy orders keep girls with them in their houses, ostensibly as servants, with whom some, it is said, associate disgracefully, or through whom, in some cases, other girls are procured.

[14] Again, another vice has crept up among some [clerics], that when some people wish to contract an engagement with an agreement about a future [marriage], a money fine is fixed with a view to contracting the marriage, and sometimes a fixed time is prearranged, within which the marriage must be contracted, but mostly it occurs without predetermining the time. And when a fixed time is appointed, if they do not contract it within that [time], although they wish to do so afterwards, the prelates of the church request the fine that was previously fixed for that purpose, and force the parties to pay it to them, which they then put to their own use.

[15] Again, if after the engagement for a future [marriage] has been contracted, and the fine with a view to contracting the marriage has been fixed, those getting married wish to absolve each other [from the engagement], the prelates extort the appointed fee in full and from both parties. And if it happens that one dissents with the other consenting, they seek the fee from the dissenting party who is forced to pay. And often they require the customary fine or part of it from the one who consents to contract the marriage, although the other dissents, which is rather harsh and greedy, with the result that the innocent is punished.

[16] In these cases they strive to break the holy regulations that decreed that marriages must be free, since there is nothing in which free and peaceful consent is required more. And consent has no place where there is the intervention of fear and coercion, which are inflicted in a way on the parties when an exaction of this sort occurs. And where someone's consent is needed, it is necessary to reject any element of coercion. For if by a compelling fear someone contracting [marriage] should say that something is agreeable when it is disagreeable, this often has the result that is to be expected in unwanted marriages. And in this case it was responded concerning a woman who was refusing to be married that she should be instructed rather than forced, since it is often the case that coercions have difficult endings. So it is clear that the exaction of a fine

coactiones difficiles soleant exitus frequenter habere. Quare patet quod poenae exactio circa matrimonia odiosa et inhonesta est, et in avaritiae radice fundata, et ideo reprob[745]da, cum ea quae ecclesiastica provisio ordinavit ad pacem et concordiam et pro periculis evitandis clerici trahant ad noxam. Et abominabile est et¹⁷¹ absurdum ut quod in aliis condemnat ecclesia sibi ad compendium trahat. Et videntur tales qui huiusmodi poenas exigunt ex fidei ruptione ac perjuriis gratulari, propter emolumentum quod consequuntur ex eis, vel malos exitus nuptiarum appetere ad quas compellunt per coa[D]ctiones huiusmodi renitentes, et etiam plerumque¹⁷² volentes, quod est iniquum. Insuper quod aliis prohibemus ut malum et illicitum indecens est ut illud licere nobis clericis existimemus, et in eo quod ab aliis exigere tenemur nobis parcere non debemus.

[17] Item, et a quibusdam inolevit quoddam abominabile et horribile, videlicet quod celebratis solemnitatibus nuptiarum, statim quidam clericus ecclesiae in qua solemnizatum est matrimonium, portans aquam benedictam, cum pervenerit ad portam domus in qua debent se recipere nubentes, tenens quandoque [*read*: quinque] candelas accensas in manibus, ponit eas sub conjugatorum pedibus, et accipit pro huiusmodi tam improbando officio XII denarios vel aliud [E] precium, quod sortilegii vitio carere non dubitatur. Quod improbatum est et canonibus inimicum, cum secundum canonicas sanctiones, arioli, aruspices, incantatores, sortilegi, atque caeteri sectatores huiusmodi abusionum quae a zabulo inventae dicuntur eliminandi sint ab ecclesia, quae sine macula et ruga est.

[18] Nos igitur, attendentes quod hoc solum quod irreprehensibile est sancta defendit ecclesia, item quod cito sequitur lepra mercedem et pecunia male acquisita corpus animumque commaculat, et quod inexpiabilis est venditi culpa mysterii, considerantes etiam quod, licet frequenter prohibitum sit a sanctis patribus ne pro sepulturis et exequiis mor[2408A]tuorum et benedictionibus nubentium, chrismatis oleique perceptione, baptizandis consignandisque fidelibus, seu quibuscumque aliis sacramentis ecclesiasticis, precium aliquod exigatur, nondum tamen cessatur, nec proficiunt statuta sanctorum apud quosdam putantes hoc sibi licere quia ex longa consuetudine extitit hoc obtentum, nec attendentes quod tanto sunt graviora peccata quanto¹⁷³ diutius infelicem animam detinent alligatam, cum scire debuerint quod gratia, si non gratis datur¹⁷⁴ vel accipiatur, non est gratia: idcirco nos, eorundem sanctorum patrum sequentes vestigia, auctoritate domini papae qua fungimur, statuimus, decernimus, et irrefrag[346]biliter sancimus, et in virtute

171. et *omit* CM 172. forte potius: nolentes H. *add in margin* CM. 173. quanto] quam CM 174. datur] detur M

[for contracting] marriages is hateful and disgraceful, and grounded in the root of greed, and therefore to be censured, since clerics make harmful what the Church's foresight established for peace and harmony and for avoiding dangers. And it is abominable and absurd that what the Church condemns in others she turns into profit for herself. And those who require fees of this sort appear to rejoice in this violation of the faith and in perjuries, because of the emoluments they attain from them. Or [they appear] to seek the bad endings of the nuptials to which they compel [some parties] by coactions of this sort, even if they are unwilling; and frequently, too, [they are forced to pay] although they are willing, which is unjust. Moreover, it is indecent for us to consider something licit for us clerics that we forbid others as evil and illicit. And we must not exempt ourselves in what we are bound to require from others.

[17] Again, something abominable and horrible has arisen among certain [clerics], namely that just after the ceremony of the nuptials has been celebrated, a certain cleric of the church in which the marriage was solemnized carries holy water and five lit candles in his hands, and as he approaches the door of the house in which those who are getting marriage are to take up residence, he places [the water and candles] at the feet of the married couple, and for this task that is so objectionable he receives twelve denarii or another price. And there is no doubt that this involves the sin of divination, which has been condemned and is inimical to the canons, since according to the canonical decrees diviners, inspectors of entrails, enchanterers, soothsayers, and other followers of abuses of this sort which are said to have been invented by the Devil, must be eliminated from the Church, which is without blemish and fault.

[18] We are mindful that the Holy Church defends only that which is irreprehensible, and, again, that leprosy quickly follows upon wages, and money evilly acquired pollutes both body and soul, and that the sin of selling a mystery cannot be redeemed. We are also considering that, although the Holy Fathers frequently prohibited any price from being required for funeral rites and burials of the dead, and for benedictions for those getting married, for receiving chrism and oil, for baptizing and registering the faithful, or any other ecclesiastical sacraments, nevertheless this has not yet stopped. Nor do the statutes of the saints make headway with certain people who strive to have this allowed them, because it has been obtained through long use. And they do not pay attention to the fact that however more serious their sins are, so much longer their sins will detain their unhappy soul in shackles, since they must know that grace, if not given or taken freely, is not grace. Therefore, following in the footsteps of said Holy Fathers, by the authority of the Lord Pope with which we are charged, we establish, proclaim, and inviolably decree, and in virtue of

obedientiae praecipi[B]mus ut de caetero pro sepulturis, processionibus mortuorum, et exequiis ac monumentis eorum, benedictionibus nubentium, chrismatis oleique¹⁷⁵ perceptione, baptizandis consignandisque fidelibus, alba, cereo, seu aliis quibuscumque sacramentis ecclesiae, nihil penitus per personas ecclesiasticas, pacto aut conventionem praecedentibus, exigatur, sed gratis accepta dona Christi gratuita dispensatione donentur. Et consuetudines praedictas, quae potius corruptelae sunt, reprobamus. Si tamen ex postfacto gratuitum aliquid offeratur, vel ex devotione fidelium, sponte oblatum recipi non vetamus. Volumus tamen et praecipimus ut albae solícite requirantur (ne per malitiam hominum et astutias diaboli in usus illicitos conver[C]tantur) et¹⁷⁶ in usus ecclesiasticos applicentur. Et id quod de quinque candelis fit, in perpetuum reprobamus. [746]

[19] Circa exactionem vero poenarum pecuniarium quae vulgariter appellantur "repetailles," vel aliorum quocumque nomine censeantur quae in matrimoniis et sponsaliis apponuntur, quia usitatum est malum et a¹⁷⁷ maioribus inolitum, maiorisque quaestus, et ob hoc difficilius evelli timetur, statuimus et sancimus ut, si quis de nostra legatione, postquam praesens statutum ad notitiam ipsius pervenerit, contraire praesumpserit, vel fraudem aliquam circa hoc adhibuerit, ex eo tempore se noverit ipso facto ab officii executione suspensum. Sed ne crimina remaneant impunita, volumus ut parti resiliendi pro per[D]jurio vel fide rupta per praelatum loci poenitentia competens imponatur. Interdicimus etiam ne quis infra terminos nostrae legationis constitutus¹⁷⁸ pro sponsalibus faciendis vel solemnizandi matrimonium licentia concedenda exigat raboinum seu aliquod aliud precium. Inhibemus etiam ne pro celebratione matrimonii quadraginta tres denarii vel aliquod aliud precium exigatur. Quod si quis ausu temerario contra aliquam duarum istarum inhibitionum aliquid exigere praesumpserit, ipso facto ab ingressu ecclesiae usque ad XX dies continuos noverit se suspensum.

[20] Verumtamen ut animarum periculis occurramus, venerabilibus patribus patriarchis, archiepiscopis, et episcopis infra terminos nostrae legatio[E]nis constitutis, vel eorum vicariis, si praesentes non fuerint, concedimus potestatem absolvendi a sententiis antedictis eos qui in suis civitatibus et dioecesis incurrerint sententias antedictas. Ita tamen quod, antequam eis absolutionis beneficium impendatur, praestito juramento caveant quod de caetero talia non attentent, et precium exactum restituant iis a quibus exegerint, si eos potuerint invenire. Si vero inveniri non potuerint, precium exactum restituant dioecetano episcopo per provisionem ejus in usus pauperum applicandum. Si vero aliqui ex iis qui

175. oleique] olei que M 176. et omit CM 177. a omit CM 178. constitutus] constitutos CM

obedience order, that from now on ecclesiastical persons shall require nothing at all, on the basis of past agreement or convention, for burials, processions for the dead, and their funeral rites and monuments, for benedictions for those getting married, for receiving chrism and oil, for baptizing and registering the faithful, for white cloth, wax, or for any other ecclesiastical sacraments. Rather the gifts freely accepted from Christ should be given in free grants. And we condemn the aforesaid customs, which are really corruptions. However, if, after the function has been carried out, anything is offered as a gratuity, or out of the devotion of the faithful, we do not forbid them to receive what is offered voluntarily. However, we want and order that white cloths be carefully taken back, and, so that they are not put to illicit use through the malice of men and the cunning of the Devil, they should be applied to ecclesiastical uses. And we condemn in perpetuity what is done with the five candles.

[19] But in connection with the exaction of money fines that are called *repentailles* in the vernacular, or of other ones under whatever name they are known that are imposed in marriages and engagements, because it is a common evil that took root among our forefathers and is very profitable, and for this reason, one fears, it is rather difficult to remove, we establish and decree that if anyone within our legation presumes to go against our present statute after they have become aware of it, or commits any fraud with respect to it, from that time he shall find himself ipso facto suspended from the carrying out of his duties. But, so that no crimes go unpunished, we want the prelate of the place to impose a suitable punishment on the unwilling party [as concerns the marriage], for perjury or breaking the faith. We also forbid anyone who is within the limits of our legation from requiring a raboinus or any other price for making engagements or granting permission to solemnize a marriage. We also prohibit anyone from requiring the forty-three denarii or any other price for performing a wedding. And if anyone, in a rash venture, should presume to demand anything against any of these two prohibitions, he shall find himself ipso facto suspended from entering church for twenty straight days.

[20] But, so that we resist dangers to souls, we concede to our venerable fathers the patriarchs, archbishops, and bishops who are within the limits of our legation, or, if they are not present, their vicars, the power to absolve from the aforesaid sentences those who incur the aforesaid sentences in their cities and dioceses. But before the benefit of absolution is applied to them, they are to take an oath that they will not attempt such things in the future, and they should restore the price exacted to those from whom they exacted it, if they can find them. But if those people cannot be found, they should pay the price exacted to the diocesan bishop to be applied to his provision for the needs of the poor. But if any of those

propter exactiones praedictas inciderint in aliquam sententiam praedictarum restituere non possint quod sic exactum est, talis eis poenitentia [2409A] injungatur, propter cuius terrorem tam ipse quam alii a similibus arceantur.

[21] Item, districte inhibemus, sub poena amissionis beneficiorum suorum ecclesiasticorum, ne presbyteri et alii in sacris ordinibus constituti mulierem aliquam, cohabitandi vel serviendi causa, secum in domo teneant, nisi de illis personis sint quae a canonibus permittuntur[347]tur. Ubi enim est virorum et mulierum cohabitatio, stimuli carnis non desunt. Si qui vero contra hanc inhibitionem nostram fecerint, si moniti a superiori suo super hoc desistere noluerint, ipso facto suis beneficiis sint privati, si qua habent. Et illi ad quos spectat beneficiorum illorum collatio ex tunc liberam habeant potestatem illa beneficia [B] personis idoneis conferendi. Si vero beneficia ecclesiastica non habuerint, per suos superiores poena suspensionis vel excommunicationis ab huiusmodi flagitio arceantur.

[22] Statuimus etiam ut singuli patriarchae, archiepiscopi, et episcopi ad minus semel in anno in dioecesibus suis synodum celebrent, et in illa synodo statutum huiusmodi faciant publice recitari et in libris matricis ecclesiae conscribi ad perpetuam memoriam faciant.

[23] Huiusmodi autem statutorum copiam vobis mittimus, mandantes vestramque exhortantes in domino caritatem ut ea publicari so[747]lemniter faciatis in majori ecclesia Nicosiensi, convocato clero civitatis ejusdem, et ita fieri faciatis per episcopos vel eorum vicarios in civitatibus vestrae jurisdictioni subjectis, necnon et per alia loca regni Cypri quibus videbitis expedire. Et circa eorum observantiam adhibeatis et adhiberi faciatis curam et diligentiam efficacem. Actus in Accon [*mg*: hoc est, Ptolemaide], anno Domini MCCLIV, VIII Idus Augusti.

who incur any of the aforesaid sentences on account of the aforesaid exactions are not able to restore what has been thus exacted, such a penance is to be enjoined on them that, because of its terror, will restrain him and others from similar things.

[21] Again, we strictly prohibit priests and others who are in holy orders, on pain of loss of their ecclesiastical benefices, from maintaining any woman with them in their house, for reason of cohabitation or service, unless they are among the persons who are permitted in the canons. For where men and women live together, the stimulation of the flesh is not far away. But if any go against this prohibition of ours, and if although warned by their superior concerning this matter they do not want to stop, they are ipso facto deprived of their benefices, if they have any, and at that point those who control the distribution of benefices shall have the free power to confer those benefices on worthy persons. But if they do not have ecclesiastical benefices, their superiors should restrain them from such shame with the sentences of suspension or excommunication.

[22] We also decree that each patriarch, archbishop, and bishop shall hold a synod in their dioceses at least once a year, and they shall have this statute recited publicly in that synod, and they shall have it written down in the books of the mother church for the permanent record.

[23] Moreover, we are sending you a copy of these statutes, ordering and urging your love in the Lord to have them solemnly made public in the Great Church of Nicosia when the clergy of the city has been assembled, and to have them so implemented by the bishops or their vicars in the cities subject to your jurisdiction, and also in other places of the Kingdom of Cyprus as you see fit. And you should exert and have exerted care and effective diligence concerning the observance of these [statutes]. Done in Acre, in the year of the Lord 1254, on the sixth of August.

[Text G]

CONCILIIUM NIMOCIENSE

Anno MCCXCVIII.

[a] Incipiunt constitutiones sacri provin[D]cialis concilij celebrati apud Nimocium per reverendos patres dominos Gerardum, archiepiscopum Nicosiensem, Nicolaum Paphensem, Berardum Nimociensem,¹⁷⁹ episcopos, episcopo Famagustano tunc in remotis agente. Anno Domini MCCXCVIII, vigesima¹⁸⁰ secunda die Septembris.

[b] Gerardus, Dei et apostolicae sedis gratia archiepiscopus Nicosiensis, dilectis in¹⁸¹ Christo universis ecclesiarum ministris per Cypri provinciam constitutis, salutem et paternae caritatis affectum. Quia labilis est humana memoria, idcirco ut [E] quae ad aedificationem pertinent et doctrinam fortius et firmiter observentur, si fuerint scripturae officio animis impressa (quia quae solo capiuntur auditu potest ex facili sollicitudo superveniens exsufflare), nos praecepta provincialia, ut melius sciantur, sanius intelligantur, et sine calumnia firmiter et efficacius observentur, per hanc nostram scripturam volumus plenius declarare.

I. De Baptismo.

[a] In virtute Domini nostri Iesu Christi districtè praecipimus sacerdotibus et clericis universis quatenus cum honore et reverentia et devotione debita singula ecclesiastica sacramenta, utpote Baptismum [2410A], Poenitentiam, Eucharistiam, etc., populo exhibeant, et ut reverenter a subditis et devote suscipiantur, ab iis saepius in ecclesiis instruantur, dictos subditos ad[348]-monentes ut singulis diebus Dominicis in parochiali ecclesia conveniant praecepta ecclesiastica audituri.

[b] In baptismo vero adhibeatur discretio et cautela, et maxime in forma verborum, quae talis est: P.¹⁸² "Ego te baptizo in nomine Patris, et Filii, et Spiritus sancti, amen." Et licet a solis sacerdotibus infantes debeant baptizari, tamen cum mortis vel infirmitatis maxima necessitas ingruerit, alii clerici et laici, nisi adsint presbyteri, et etiam pater vel mater, si aliae personae defuerint, parvulis exhibeant sa[B]cramenta, ter mergentes in aqua et non in alio liquore, dicentes praedictam formam. Et si laicus nesciat Latinum, sententiam praedictorum

179. Berardum Nimociensem] Bernardum Nimocensem CM 180. vigesima] vicesima M 181. in omit CM 182. P. omit M

[Text G]

COUNCIL OF LIMASSOL

In the Year 1298.

[a] Here begin the regulations of the holy provincial council held in Limassol by the reverend fathers, the lords Archbishop Gerard of Nicosia and Bishops Nicholas of Paphos and Berard of Limassol, the bishop of Famagusta being far away at that time, in the year of the Lord 1298, on the twenty-second day of September.

[b] Gerard, by the grace of God and the Apostolic See archbishop of Nicosia, to all of the ministers beloved in Christ who are established in the province of Cyprus, greetings and the affection of paternal love. Because human memory is fleeting, those things that pertain to edification and doctrine are observed more strongly and firmly if they are impressed on souls with the employment of writing, because unexpected concerns can easily blow away what is only taken in orally. Therefore, through this our writing we want to explain the provincial rules more fully, so that they are better known, more truly understood, and more firmly and effectively observed without evasion.

I. Concerning Baptism.

[a] In the power of our Lord Jesus Christ, we strictly order all priests and clerics to present to the people with due respect, reverence, and devotion each ecclesiastical sacrament, that is Baptism, Penance, the Eucharist, etc., and they are to instruct their subjects very often in the churches so that they receive [the sacraments] reverently and devoutly, admonishing said subjects to assemble in the parish church each Sunday to hear the ecclesiastical commands.

[b] In Baptism one should use discretion and caution, and especially in the form of the words, which is this: P: "I baptize you in the name of the Father, and of the Son, and of the Holy Spirit, amen." And although infants must be baptized by priests only, nevertheless when the extreme necessity of death or illness is imminent, other clerics and laymen – unless priests are present – and even the father or mother, if other persons are absent, can present the sacraments to the children, immersing them three times in water, and in no other liquid, and saying the aforesaid form. And if the layman does not know Latin, he should say the meaning of the aforesaid words in his vernacular language: P: "Io te baptizo ou nom dou Pere, et dou Fis, et dou saint Esperit, amen," or in another language of

verborum in suo vulgari dicat P: "Io te baptizo ou nom dou Pere, et dou Fis, et dou saint Esperit, amen,"¹⁸³ vel in alio idiomate suo. Cum vero contigerit puerum ab alio quam a sacerdote baptizari, deferatur presbytero ad chrismandum, qui primitus diligenter inquirat, ante[748]quam ipsum chrismate liniat, quod¹⁸⁴ dictum vel factum fuerit. Et si praemissam formam invenerit observatam, ipsum chrismet, alioquin sub praedicta forma ipsum baptizet. Si vero probabiliter dubitetur de aliquo an fuerit baptizatus, baptizetur dicendo [C], "Ego non rebaptizo te puer, sed si non es baptizatus, ego baptizo te," etc., ut prius.

II. *De fontibus sacralis.*

[a] In ecclesiis in quibus de consuetudine baptizatur, fontes fiant lapidei et honesti, et ad sortilegia vitanda claves fontium penes sacerdotes sint. Pro eadem causa, chrisma et oleum similiter sub clavibus observentur. Ad levandum de fonte infantem, tres patrini tantum utriusque sexus admittantur, videlicet duo viri et una mulier cum masculus baptizatur, et e contra duae mulieres et unus vir cum femi[D]na¹⁸⁵ baptizatur, qui doceant puerum aut docere faciant tempore suo *Pater noster* et *Credo in Deum*. Et hoc omnibus patrinis post baptismum a sacerdotibus injungatur.

[b] Item, propter vitanda pericula praecipimus ne baptismus periculose differatur – et frequenter a sacerdotibus populo hoc praedicetur – et ne parvuli a parentibus vel nutricibus in lectis aliquatenus, sed diligenter in cunabulis collocentur. Et quia quaedam nefandae mulieres consueverunt proprios filios projicere, communiter instruantur ut, si quandoque istud – quod absit – contigerit, in signum baptismi non suscepti iuxta projectos, sal apponatur vel in collo ligetur.

[c] Item, statuimus ut sacerdotes patrilos et matrilas instruant quod ipsi vel filii sui vel filiae non poterunt cum persona levata matrimo[E]nialiter copulari, et hoc filiis suis et filiabus¹⁸⁶ saepissime protestentur.

III. *De confirmatione.*

Volumus quod presbyteri saepe moneant populum suum ut, si adulti fuerint confirmandi, prius confiteantur peccata sua, et postmodum confirmentur. Pueri vero qui intelligere possunt ad Confirmationem veniant. Si vero de aliquo, an confirmatus sit, dubitetur, et nulla possit haberi super hoc certitudo, confirmetur sicut superius dictum est de baptismo. Et dicant laicis saepius sacerdotes quod istud non negligent sacramentum, cum in susceptione ipsius gratia¹⁸⁷ roboretur. [2411A; 349]

IV. *De confessionibus.*

[a] In confessionibus magnam adhibeant diligentiam sacerdotes, et confessiones

183. Io te... amen] Je te baptize en nom du Pere, et du Fils, et du saint Esprit, amen CM 184. forte: quid H. add in margin CM 185. femina] foemina M 186. filiabus] filialibus L 187. gratia] gratiae M

his. But when it happens that a boy is baptized by someone other than a priest, he should be brought to the priest for anointing. Before he anoints him with the chrism, the priest should first inquire diligently about what was said or done. And if he finds that the aforementioned form was observed, he should anoint him, otherwise he should baptize him with the aforesaid form. But if there is probable doubt about whether someone has been baptized, he should be baptized by saying, "I am not re-baptizing you, boy, but if you have not been baptized, I baptize you," etc., as above.

II. *Concerning consecrated fonts.*

[a] In churches in which baptisms customarily occur, decent stone fonts should be made, and in order to avoid sacrilege, the keys to the fonts should be in the possession of the priests. For the same reason, the chrism and oil should similarly be kept under lock and key [cf. Lateran IV, canon 20]. For lifting the infant out of the font, only three godparents of both sexes should be admitted, namely two men and one woman when a male is baptized and, conversely, two women and one man when a female is baptized. When it is time, [the godparents] should teach the boy or have him taught the *Our Father* and *Profession of Faith*. And priests should enjoin this on all godparents after the baptism.

[b] Again, to avoid dangers we order that baptism shall not be postponed dangerously – and priests should preach this to the people frequently – and parents or nurses are to place children carefully in cradles, and not at all in beds. And because some abominable women have been accustomed to abandoning their own children, they should be instructed together that, if this should ever happen – God forbid –, as a sign that baptism has not been performed, salt is to be put alongside the abandoned child or bound around its neck.

[c] Again, we decree that priests shall instruct godfathers and godmothers that neither they nor their sons or daughters will be able to join in matrimony with the person they have lifted [from the font], and they are to tell this to their sons and daughters extremely often.

III. *Concerning Confirmation.*

We want priests to warn their people often, if adults are to be confirmed, to confess their sins first and to be confirmed afterwards. But children who can understand should come to confirmation. But if there is doubt about whether someone has been confirmed, and no certainty can be arrived at over this, he should be confirmed just as was said above concerning Baptism. And priests should tell laymen very often that they should not neglect this sacrament, since grace is strengthened with its reception.

IV. *Concerning Confessions.*

[a] Priests should display great diligence in confessions, and they should hear

audiant in ecclesia ut ab omnibus valeant intueri. Et ubi non erit ecclesia, utputa in casali, non in camera vel gardaroba, sed in capella, si fuerit, vel in palatio, seu in alio loco non suspecto, nisi necessitas aliud suaderet, usitata peccata diligenter inquirendo et eorum circumstantias, puta locum, dignitatem, scientiam, ordinem, votum, et aetatem. Si enim in loco sacro perpetratum fuerit peccatum, vel si aliquis dignitatem habens (ut praelatus), vel scientiam (ut clericus), vel ordinem [B] (ut subdiaconus, diaconus, et sacerdos), vel votum (ut religiosus), vel aetatem (ut senex, cum sit venus in sene ridiculosa) peccatum perpetraverit, tunc est major et gravior poenitentia injungenda. Et sic de aliis [749] circumstantiis quae peccatum aggravant decernimus faciendum. De gravioribus vero peccatis et inusitatis, et qualiter viri contractant cum uxoribus suis, nullatenus quaerant. Et si peccatum carnale fuerit, puta luxuria, gulositas, et his similia, jejuniis, disciplinis, et peregrinationibus poenitens castigetur. Si autem spirituale fuerit, ut superbia, ira, acedia, invidia, avaritia, odium, et his similia, tunc poenitenti orationes devotae, eleemosynae, obedientia, et alia quae ad humilitatem faciunt injungan[C]tur. Ita tamen quod injungens arbitretur provide nihilominus et discrete, juxta qualitatem delinquentis et quantitatem delicti, ut, tam pro peccatis carnis quae videntur esse minora, quam pro spiritualibus quae majora sunt, major poenitentia injungatur. Nequaquam autem confitentes, et praecipue mulieres, intueantur faciem confessoris, nec confessor faciem confitentis. Et ut omnia peccata integra confiteantur, in spiritu lenitatis hortentur, non dimidiando vel alteri confessori partem alteram reservando. Admoneant etiam ne erubescant soli homini confiteri quod teste Deo committere praesumpserunt, pro quibus coram ipso et sanctis omnibus et daemonibus et malis hominibus damnabuntur, si aliquid voluerint occultare.

[b] “Volumus et statuimus [D], sicut hactenus observatum est, quod majora peccata ad archiepiscopum et episcopos in suis dioecesibus reserventur, ut sunt: homicidia, sacrilegia, peccata contra naturam, incestus – ut est cum consanguineis vel monialibus commisceri, stupra virginum, injectiones manuum in parentes, suffocationes parvulorum, perjuria, incendia, restitutio ablatorum et illegitime acquisitorum”¹⁸⁸; falsarii episcopalis sigilli seu ejus curiae, defloratores virginum, stupratores¹⁸⁹ viduarum, raptores mulierum, votorum fractores, venefici, qui in mortem conjugis est machinatus, luxuriam in ecclesia committens, coiens cum Iudaea vel Saracena, coiens cum ea quam baptizavit vel cujus confessionem audivit, celebrans in altari non [E] consecrato vel sine sacris indumentis, celebrans non jejenus.

[c] Absolutiones excommunicationum, quae excommunicationes solent in Ramis palmarum per totam provinciam recitari, quasque multi ignorare se dicebant, singulis diebus Dominicis Nicosiae mandavimus publicari. Et sunt

188. *Synodicum Nicosiense* B.25. 189. stupratores] strupratores M

confessions in church so that everyone can be aware of it, and where there is no church, as for example in a casale, then not in a bedroom or wardrobe, but in a chapel, if there is one, or in the great hall, or in another place that is not suspect, unless impelled by necessity, diligently inquiring into the usual sins and their circumstances, that is the place, rank, knowledge, order, vow, and age. For if a sin is committed in a holy place, or if someone having a certain rank (as a prelate), or knowledge (as a cleric), or order (as a subdeacon, deacon, or priest), or vow (as a religious), or age (as an old man, since [sexual] love is ridiculous in an old man) commits the sin, then a greater and heavier penance is to be imposed. And we judge that one should act in this way concerning other circumstances that make the sin more serious. But they should in no way ask about more serious and unusual sins, or how men have intercourse with their wives. And if it is a sin of the flesh, as lechery, gluttony, and sins like these, the penitent should be castigated with fasting, discipline, and pilgrimage. But if it is spiritual, as pride, anger, idleness, envy, greed, hatred, and sins like these, then devout prayers, almsgiving, obedience, and others that promote humility should be imposed on the penitent. Nevertheless, [this should be done] in such a way that he who imposes [penance] should decide carefully and discreetly, according to the status of the transgressor and the size of the offense, so that a greater penance is imposed both for sins of the flesh, which seem to be lesser, and for spiritual sins, which are greater. But by no means should those confessing, especially women, look into the face of the confessor, nor [should] the confessor [look into the face] of the one confessing. And in a spirit of leniency they should be urged to confess all of their sins entirely, not saying just half, or keeping the other part for another confessor. They should also admonish them not to be ashamed to confess to a mere man what they dared to commit with God as their witness, for which sins they will be damned in the presence of Him and all the saints and demons and evil men, if they conceal anything deliberately.

[b] "We will and decree that, as has been observed until now, major [crimes] shall be reserved for the archbishop and bishops in their dioceses, that is: homicide, sacrilege, sins against nature, incest – that is, uniting with relatives or nuns – the deflowering of virgins, the laying of hands on parents, the suffocation of children, perjury, arson, the return of stolen goods and things acquired illegitimately," forgers of the episcopal seal or that of his court, the defilers of virgins, those who ravish widows, those who rape women, those who break vows, poisoners, the person who has plotted the death of a spouse, he who commits lechery in church, he who copulates with a Jewish or Saracen woman, he who copulates with her whom he has baptized or whose confession he has heard, he who celebrates on an altar that has not been consecrated or without sacred vestments, he who celebrates while not fasting, [and] absolutions of excommunications.

[c] These excommunications are accustomed to being recited on Palm Sunday throughout the whole province. [Because] many were declaring themselves ignorant of them, we have commanded that they be made public in

hae: "Nos denunciāmus excommunicatos omnes haereticos, quocumque nomine censeantur,"¹⁹⁰ et receptatores seu defensores eorum.

[d] Item, omnes illos qui [350] faciunt statutum contra libertatem ecclesiae vel jam factum faciunt observari.

[e] Item, omnes illos qui deferunt arma, victualia, et quascumque alias merces Saracenīs.

[f] Item, "usurarios manifestos."

[g] Item, sortilegos et divinos, coa[2412A]vetos et coavetas, et cantatrices in funeribus defunctorum sive in ecclesia sive in coemeteriis seu alibi.

[h] Item, illos qui publice tenent ludum taxillorum in domibus suis.

[i] Item, omnes cursarios et piratas et receptatores eorum, sive in terra sive in mari.

[j] Item, illos omnes qui non permittunt sclavos sive sclavas sine suo praeiudicio baptizari volentes.

[k] Item, omnes illos qui clandestine contrahunt seu contrahi faciunt matrimonia vel sponsalia, vel fieri procurant.

[l] Item, omnes illos qui non solvunt seu solvi faciunt integre et plene, ecclesiis quibus tenentur, decimas de omnibus possessionibus, animalibus, appaltis,¹⁹¹ caeterisque redditibus, et qui inde tollunt semen, [750] expensas, seu angarias ante decimam persolutam, vel [B] qui solvunt de viliori, vel aliquam fraudem adhibent in solvendo, et qui semel in anno non veniunt vel mittunt ad reddendam legitimam super dicta decima rationem.

[m] Item, omnes illos qui semel in anno non veniunt ad confitendum peccata sua omnia proprio sacerdoti, et qui saltem semel in anno non recipiunt Eucharistiae sacramentum, nisi de consilio superioris duxerint abstinendum.

[n] Item, omnes illos qui violentiam inferunt ecclesiis, et eorum consiliarios, et consentientes iisdem.

[o] Item, omnes illos qui, dimissis propriis uxoribus suis, tenent focarias seu concubinas manifeste, et vice versa uxores quae, dimissis propriis viris, adhaerent suis adamatoribus aut ribaldis.

[p] Item, omnes illos qui invadunt res seu possessio[C]nes in quarum possessione fuit ecclesia, seu qui invasoribus favent.

[q] Item, omnes illos qui naufragantes impediunt et eorum bona diripiunt.

[r] "Item, omnes apostatas nostrae dioecesis, masculos et feminas, qui scilicet dimisso et abjecto habitu religionis, saeculariter viventes, ad saeculum sine licentia ecclesiae redierunt."

V. De confessoribus et poenitentiis injungendis.

Interroget etiam confitentem si de peccatis praeteritis poeniteat et utrum habeat

190. Lateran IV, canon 3. For remaining items in IV, cf. *Synodicum Nicosiense* C and B.15.

191. appaltis] appactis L

Nicosia every Sunday. And they are these: "we denounce as excommunicates all heretics of both sexes, by whatever name they are known," and those who receive and defend them.

[d] Again, all those who make a statute against ecclesiastical liberty or cause to be observed one that has already been made.

[e] Again, all who deliver arms, provisions, or any other goods to the Saracens.

[f] Again, "all manifest usurers."

[g] Again, all sorcerers and diviners, men and women who perform incantations and "singing women" at the funerals of the deceased, whether in church or in cemeteries or elsewhere.

[h] Again, all those who publicly maintain dice games in their houses.

[i] Again, all corsairs and pirates and those who receive them, whether on land or at sea.

[j] Again, all those who without prejudice to themselves do not allow to be baptized those slave men or slave women who wish it.

[k] Again, all those who clandestinely contract, or cause to be contracted, or expiate the occurrence of marriages or engagements.

[l] Again, all those who do not pay or cause to be paid to the churches to which they are obliged, wholly and in full, the tithes on all their possessions, animals, rents, and other incomes, and who deduct seed, expenses, or requisitions before the tithe has been paid, or who pay out of the cheapest [part], or who commit any fraud in paying them, and who do not come or send someone to render a legitimate account concerning said tithe once a year.

[m] Again, all those who do not come once a year to confess all of their sins to their own priest, and who do not receive the sacrament of the Eucharist at least once a year, unless they decide to abstain on the advice of their superior.

[n] Again, all those who inspire violence against the churches, and their advisers and those who conspire with them.

[o] Again, all those who, having sent away their own wives, openly maintain concubines or kept women, and vice versa all wives who, having sent away their own husbands, cling to their lovers or to rascals.

[p] Again, all those who seize things or possessions that the Church was in possession of, or who befriend such usurpers.

[q] Again, all those who hinder those who suffer shipwreck and who pillage their goods.

[r] "Again, all apostates of our diocese, male and female, namely those who, having abandoned and thrown off the religious habit, and living secular lives, returned to the secular world without the Church's permission."

V. *Concerning confessors and imposing penances.*

He should also ask the person confessing if he repents of his past sins and

propositum non peccandi de caetero mortaliter, sine quo non est ei poenitentia injungenda nec absolutio facienda, cum nec facta proficiat in his casibus, sed consilium dan[D]dum, scilicet ut faciat quidquid boni poterit interim, ut Deus illustret ad poenitentiam cor illius. Secundum quantitatem culpae et possibilitatem confitentis poenitentiae quantitas debet esse, ne facilitas veniae delinquendi provocet incentivum, vel in desperationem mittat austeritas confessorum. In rapina, furto, usura, fraudulentis emptionibus et venditionibus et aliis dolosis contractibus, et in iis quae in ludo per fraudem, vel ab illis qui detentores non domini sunt infideliter acquiruntur, confessor diligens insistat ut restitutionem damni faciendam praecipiat confitenti, quoniam non dimittitur peccatum nisi restituatur ablatum, si facultas adsit. Si vero per inopiam ad tempus excusetur, indicenda est [E] restitutio, si quando ad fortunam venerit pinguiolem. Injuriam passo, si appareat, vel ejus legitimo heredi, est semper restitutio facienda, alioquin juxta arbitrium superiorum quod restituitur est in piis usibus [351] convertendum. Ad confessiones faciendas saepius subditos moneant et inducant, nec perquirant cum quibus personis peccatum commissum fuerit nominatim. Dicantque eis saepius capellani quod, licet saepe confiteri sit eis saluberrimum, ad minus tamen in anno semel est necessarium et praeceptum. [2413A]

VI. *De sacramento altaris.*

[a] *Et primo, de lintheaminibus.*

Quoniam specialis reverentia circa sacramentum altaris est adhibenda, volumus ut in quolibet altari in quo celebrantur Divina sint ad minus tria lintheamina, munda et benedicta, quae laventur quater in anno, scilicet in Natali, in Pascha, in Assumptione beatae Mariae virginis, et in festo omnium Sanctorum. [751]

[b] *De corporalibus.*

Corporalia vero mundissima sint et honesta, et semel in mense, et a presbyteris vel diaconibus, quo[B]ties necesse fuerit, abluantur et aqua in piscinam jactetur. Sed si fuerint infusa vel intincta sanguine Domini nostri Iesu Christi, extunc cum eis minime celebretur, sed in sacrario cum reliquiis reponantur. Nec ille cui contigerit prius accedat ad altare donec per nos vel vicarium nostrum, sive ab ordinario suo, poenitentiam receperit competentem.

[c] *De calcibus.*

Calices mundi sint et integri et argentei, et ter[C]soria quibus presbyteri post communionem manus tergunt sint candida et honesta, et semel in mense quolibet abluantur, vel saepius, si opus fuerit.

whether he intends not to sin mortally anymore, without which intent penance is not to be enjoined on him nor absolution made for him, since when it is done in these cases it is to no effect. Rather advice is to be given him, namely that he should do whatever good he can in the meantime, so that God might enlighten his heart with respect to penance. The amount of penance must be in accordance with the amount of blame and the ability of the one confessing, so that the ease of the forgiveness does not provide incentive for transgressing, or so that the austerity of the confessors does not drive him to despair. With rape, theft, usury, deceptive purchases and sales and other deceitful contracts, and with those things that are unfaithfully acquired in gambling through fraud or by those who, being in possession of them, are not the owners, the diligent confessor should persist in directing the one confessing to make restitution for the damage, since the sin is not dissolved unless what was taken is restored, if the means exist. But if he is excused at the time because of poverty, restitution is to be enjoined if he comes upon richer fortune. Restitution for the injury is always to be done for the victim, if he can be found, or to his legitimate heir, otherwise what is repaid is to be converted to pious uses according to the discretion of the superiors. They should warn and persuade their subjects to do confession very often, nor should they inquire eagerly about the names of those persons with whom the sin was committed. Chaplains should tell them very often that, although it is very salutary for them to confess often, is it necessary and commanded that they do it at least once a year.

VI. *Concerning the sacrament of the altar.*

[a] *And first, concerning the altar cloths.*

Because special reverence should be displayed with respect to the sacrament of the altar, we want there to be at least three altar cloths, clean and blessed, on every altar at which the divine offices are celebrated. These should be washed four times a year, namely at Christmas, Easter, the Assumption of the Blessed Virgin Mary, and on the feast of All Saints.

[b] *Concerning corporal cloths.*

Corporal cloths should be very clean and proper, and they should be cleaned once a month and as often as is needed by priests or deacons, and water should be poured in the piscina. But if they are dipped in or stained with the blood of our Lord Jesus Christ, one should not celebrate with them at all anymore, but they should be put away in the sacristy with the others. Nor should he to whom this happens go to the altar until he has received an adequate penance from us, or our vicar, or his ordinary.

[c] *Concerning chalices.*

Chalices should be clean and in good condition and made of silver, and the towels with which priests dry their hands after communion should be bright white and proper, and should be washed once a month, or more often, if necessary.

[d] *De ampullis*.¹⁹²

Ampullae ad opus vini et aquae sint mundaе et integrae, et continue coopertae, propter muscas et araneas et alia pericula evitanda.

[e] *De pyxidibus*.¹⁹³

Pyxides autem in quibus ad opus sacramenti hostiae servantur mundaе sint et clausae teneantur ne a ligni vermibus sint corrosae. [D]

[f] *De indumentis sacerdotum*.

Indumenta vero sacerdotum vel aliorum ministrorum abluantur saepius et decenter parentur. Et si inhonesta fuerint, aut nimis vetera, in eis nullatenus ministretur. Et clericus serviens ad altare superpellicium semper habeat candidum et honestum, et tonsuram habeat decentem et coronam.

[g] *De Sacerdotibus*.

[1] Caveant sacerdotes ne stolam, manipulum, vel amictum dimittant, sed omnibus ornamentis induti reverenter ad altare accedant, dictis prius Matutinis canonicis atque Prima. Cum vero omnia quae dicun[E]tur in Missa cum devotione et intentione debita sint dicenda, tum maxime tota diligentia est adhibenda cum venit ad verba quorum virtute conficitur sacramentum: "Hoc est enim Corpus meum. Hic est [352] enim Calix sanguinis¹⁹⁴."

[2] Praecipimus praeterea sacerdotibus universis quod, quando voluerint celebrare, ponant hostiam mundam in integram in patena,¹⁹⁵ et vinum et aquam in calice, et tergant calicem tali modo quod, aqua vel vino in extremitatibus ipsius remanentibus, corporalia non valeant maculari. Et si contigerit, quod absit, quod in confectione sacramenti vinum et aqua deessent in calice ob negligentiam ministrantis, statim apponantur, et appositis, ut omnis dubitatio et opinio disputantium amputetur, sacerdos caute reincipiat: "Te igi[2414A]tur clementissime Pater," non inclinando se ad altare ut prius, nec elevando manus, sed verba canonis continue proferendo secrete, et signa super sacrificium, ut celatius poterit, propter scandalum populi faciendo, nec elevet hostiam ad populum, si tamen [752] prius ab ipso fuerat elevata. Et sic perveniat ad illum locum: "Simili modo posteaquam coenatum est," ut sic appareat totum dictum et totum pariter consummatum, non accedendo amplius ad altare, donec per nos, vel vicarium nostrum, vel suum ordinarium, sibi poenitentia sit injuncta pro tanta negligentia, cum sit certum eum in hoc casu graviter deliquisse.

[3] Item, si casu contigerit quod aranea vel musca vel aliquid reptile caderet in sanguinis sacra[B]mentum, tunc sacerdos in calice de stanno vel alio metallo mundo omnia illa sic clausa et bene cooperta in loco reliquiarum

192. Vessels for wine and water of the Eucharist. 193. Containers where consecrated Eucharist is kept. 194. adde: mei *add in margin* CM 195. Plate for holding the bread of the Eucharist.

[d] *Concerning ampullas.*

Ampullas for the wine and water should be clean and in good condition, and kept covered up continually because of flies and spiders and other hazards that are to be avoided.

[e] *Concerning pyxes.*

Pyxes in which the hosts for the sacrament are stored should be clean and should be kept closed so that they are not gnawed by woodworms.

[f] *Concerning priests' vestments.*

The vestments of priests or other ministers should be cleaned quite often and prepared fittingly. And if they are unseemly or too old, one should not minister in them at all. And the cleric serving at the altar should always have a bright white and proper surplice, and he should have an appropriate crown and tonsure.

[g] *Concerning priests.*

[1] Priests should be careful not to leave behind their stole, maniple, or amice, but rather should come to the altar reverently dressed in all their adornments, after the canonical hours of Matins and Prime have been said. In general one must say everything that is said in the Mass with devotion and due sincerity, and in particular one must display complete diligence when one comes to the words by whose power the sacrament is prepared: "This is my body. This is the cup of [my] blood."

[2] Furthermore, we order that all priests, when they wish to celebrate, are to put a clean and undamaged host on the paten and wine and water in the chalice, and they should dry the chalice in such a way that the remainder of water or wine adhering to it is not able to stain the corporals. And if it happens, God forbid, that in the preparation of the sacrament there is no wine and water in the chalice, on account of the negligence of the one ministering, he should pour them in immediately, and once they have been poured in, to curtail all doubt and rumor in those who argue, the priest should carefully begin again: "Thee, therefore, most merciful Father," not leaning toward the altar as before, nor raising his hands, but continually speaking the words of the canon secretly, and making the signs over the sacrifice in as concealed a way as he can [to avoid] the scandal of the people, nor should he raise the host to the people if he has raised it before. And thus he should come to this place: "In a similar way, when the supper was ended," so that it thus appears that all of it was said and, equally, all of it was finished. He should not go to the altar again until we, or our vicar, or his ordinary has imposed a penance on him for such negligence, since it is certain that he transgressed seriously in this case.

[3] Again, if the situation arises that spiders or flies or any reptile falls into the sacrament of the blood, at that time the priest should have all of it put away where the relics are, closed up and well covered in a clean chalice of tin or

recondi faciat diligenter. Unde praecipimus quod ad opus huiusmodi, si necesse esset, et ad tenendas reliquias et chrisma et alia quae ibi debent reponi, sacraria sive armaria in ecclesiarum parietibus habeantur. Et quia indigne sumentes Eucharistiam iudicium sibi manducant et bibunt, caveant sacerdotes ne peccatoribus notoriis eucharistiam administrent, seu illis¹⁹⁶ de quibus constiterit quod peccata reliquerint confitentes. Et notandum quod istud sacramentum corporis Christi [C] nullo casu contingente administrari debet nisi a solo sacerdote.

VII. *De Extrema unctione.*

Volumus quod presbyteri subditos suos utriusque sexus a XIV annis et ultra ad sacramentum extremae unctionis recipiendum frequenter moneant et injurent, et cum periculum mortis seu gravis infirmitas evenerit, cum honore et debita reverentia infirmos inungant oleo infirmorum, solemnitatem debitam adhibentes. Et licet istud sacramentum valeat iterari, non tamen in eadem infirmitate reiteretur. [D]

VIII. *De oleo sacro.*

De oleo vero sacro, sicut de chrismate, volumus ne in vasis vitreis teneatur propter periculum fractionis. Vasa vero in quibus tenebuntur sint munda, et cuilibet vasi proprius titulus inscribatur. Volumus etiam quod per sacristam,¹⁹⁷ seu per thesaurarium, vel alium qui habeat custodire in ecclesia cathedrali, non ministrentur praedicta, praeterquam subditis nostris omni suspicione carentibus et quorum interest habere praedicta. [353]

IX. *De clandestinis matrimoniis.*

Quoniam clandestina matrimonia consueverunt [E] mala plurima generare, volumus et mandamus quod matrimonium semper in facie ecclesiae, inter personas legitimas, et hora debita celebretur, extunc excommunicantes omnes qui matrimonia clandestina de caetero contrahere praesumpserint et qui talibus matrimoniis consilium vel auxilium dederint, et illorum absolutionem loci dioecetano episcopo reservamus. Insuper clericos atque sacerdotes qui talibus matrimoniis clandestinis opem vel operam dederint ab officio et beneficio duximus suspendendos usque ad tempus a canone praefinitum. Clandestina autem matrimonia intelligimus quae fiunt sine licentia priorum seu curatorum sponsi et sponsae, sive in eadem dioecesi sive habeant habitationes suas in diversis. Cum autem de matrimonio inter [2415A] aliquos fuerit prolocutum, seu contracta fue[753]rint sponsalia, volumus quod in parochiali ecclesia sponsi et sponsae, tribus diebus Dominicis, publice et solemniter praedici debeant, dum sacra Missarum solemnia celebrantur, quod tales personae debent

196. forte: sed illis H. *add in margin* CM 197. sacristam] sacristiam M

another metal. Thus, for doing this, if it is necessary, and for keeping relics and the chrism and other items that must be stored there, we order that the walls of churches have sacristies or cupboards. And because those who take the Eucharist [i.e. communion] shamefully thereby eat and drink judgment on themselves, priests should be careful not to administer the Eucharist to notorious sinners, or to those who have been known to leave out sins when confessing. And it should be known that this sacrament of the body of Christ must in no possible circumstance be administered by anybody other than a priest.

VII. *Concerning Extreme Unction.*

We want priests to warn frequently and implore their subjects of both sexes, from the age of fourteen years and up, to receive the sacrament of Extreme Unction, and when the threat of death or serious illness comes about, they should anoint the sick with the oil of the sick with honor and due reverence, displaying fitting solemnity. And although this sacrament can be repeated, it should not be done again during the same illness.

VIII. *Concerning holy oil.*

Concerning holy oil, just as with the chrism, we do not want it to be kept in glass vessels because of the danger of breaking. The vessels in which [the oils] will be kept should be clean, and the proper inscription of each vessel should be written on it. Also, we do not want the sacristan or the treasurer or someone else who has to take care [of these things] in the cathedral church to pass on the care of the aforesaid, except to subjects of ours who lack all suspicion and who have concern for keeping them.

IX. *Concerning clandestine marriages.*

Since clandestine marriages are accustomed to generating many evils, we want and command that matrimony should always be celebrated in front of a church between legitimate persons and at the proper time. From now we excommunicate all those who presume to celebrate clandestine marriages in the future, and all those who give advice or assistance in such marriages. We reserve their absolution for the local diocesan bishop. Moreover, we have decided that clerics and priests who give assistance and effort to such clandestine marriages shall be suspended from their office and benefice until a time that has been canonically determined beforehand. We understand clandestine marriages as those that take place without the permission of the older relatives or guardians of the groom or bride, whether they have their homes in the same diocese or in different dioceses. When a marriage between anybody has been announced, or the engagement has been contracted, we want the fact that such persons are to be joined in matrimony to be announced on three successive Sundays, publicly and solemnly, in the parish church of the groom and bride, while the solemn rites of the Masses are being celebrated. And if anyone should know of an impediment whereby they

matrimonialiter copulari. Et si quis sciat impedimentum quare contrahere non possint, surgat et dicat in publico et ad iudicium veniat, fidem faciens de impedimento. Sin autem, de caetero nullatenus audietur.

X. *De ordinibus.*

Statuimus quod presbyteri qui non sunt oriundi [B] de Cypro non admittantur in civitatibus vel dioecesibus istius provinciae ad celebrandum Divina ut sacerdotes. Novimus enim et pro certo didicimus quosdam in sacris ordinibus constitutos, culpis propriis exigentibus, a praelatis suis excommunicationis vel suspensionis vinculo innodatos, cum litteris suae ordinationis ad peregrinas ubi sunt incogniti nationes migrasse et ibidem ausu temerario in susceptis ordinibus ministrasse, et nonnullos alios qui mentientes se promotos, cum non sint, cum falsis litteris nonnunquam¹⁹⁸ ab indiscretis ecclesiae praelatis admissos fuisse, et ibidem de facto ministrasse ecclesiastica sacramenta, quod quam grave et ridiculosum sit, nullus sanae mentis ignorat. Unde volumus [C] quod nullus talium admittatur omnino, nisi sui ordinatoris vel successoris¹⁹⁹ illius ostendat litteras omni suspicione carentes suscepti ordinis mentionem expressam et causam peregrinationis idoneam continentes, vel alias de bona vita et fama, et conversatione antiqua, et quod in terra de qua venit sacerdotioungebatur in habitu saeculari faciat plenam fidem. Alioquin tam recipiens quam receptus puniatur ad arbitrium concilii subsequens.

XI. *Quod clerici non sint officiales laïcorum.*

Prohibemus ne sacerdotes vel clerici, cujuscum[D]que linguae vel nationis existant, justitarii vel officiales aut baillivi laïcorum existant, aut eorum officia exercent, seu negotia gerant, per quae seu propter quae ad ratiocinia obligentur, ne occasione talis administrationis eorum personae impetantur vel impedianur seu eorum bona capiantur. Quod si fecerint ab hac nostra prohibitionem post quatuor menses, [354] ab officio suspendimus et volumus manere suspensos et inhabiles ad habendum beneficium ecclesiasticum quousque per subsequens concilium, si meruerint,²⁰⁰ fuerit cum eis misericorditer dispensatum. Quod si quis de caetero hoc attentare praesumpserit, ipso facto sententiam excommunicationis incurrat. [E]

XII. *De iis qui clericos capiunt.*

Statuimus quod quicumque canonicum seu assisium alicujus ecclesiae cathedralis de provincia ista ceperit injuriosa captione, seu captum tenuerit, seu mutilaverit, vel capi seu²⁰¹ mutilari mandaverit, usque in quartam generationem inclusive nullus de posteritate ejus recipiatur ad dignitatem vel canoniam, seu ad aliquid

198. nonnunquam] nunnunquam M 199. successoris] sucessoris CM 200. meruerint] meruerit CM
201. mutilaverit, vel capi seu omit by homeoteleuton CM

cannot contract the marriage, he should rise and say so in public and come to court, producing evidence of this impediment. But if not, he should not be heard at all from then on.

X. Concerning Orders.

We decree that priests who do not come from Cyprus shall not be allowed to celebrate the divine offices as priests in the cities or dioceses of this province. For we know and have learned for certain that some men who are in holy orders, who have been bound with the chain of excommunication or suspension by their prelates as required by their own faults, have migrated with the letters of their ordination to foreign nations where they are unknown and have ministered there with rash audacity in the orders they have obtained. And [we know] that several others, lying that they had been promoted – since they have not been – have often been admitted with false letters by indiscreet prelates of a church, and they have de facto administered the ecclesiastical sacraments there. No one of sound mind is unaware how serious and ridiculous this is. Thus we want none of such men to be admitted at all, unless he shows letters from his ordainer or his successor that are lacking all suspicion and contain explicit mention of the order obtained and a worthy reason for the journey, or other [letters] about [his] good life and reputation and his earlier conduct. And he shall produce full evidence that in the land from which he comes he was engaged in the priesthood in the habit of the secular [clergy]. Otherwise both he who receives him and he who is received shall be punished according to the discretion of the next council.

XI. That clerics should not be officials for laymen.

We prohibit priests or clerics, of whatever language or nation, from being judges or officials or bailiffs for laymen, or from carrying out their duties, or from managing their affairs, through which or because of which they would be obligated in law cases, so that their persons are not prosecuted or do not become entangled [in legal proceedings], or their goods are not seized, on the occasion of this administration. And if they should do this from four months after this prohibition of ours, we suspend them from their office and want them to remain suspended and unable to have an ecclesiastical benefice until they are mercifully given a dispensation by the next council, if they deserve it. And if anyone should presume to attempt this in the future, he shall automatically incur a sentence of excommunication.

XII. Concerning those who capture clerics.

We decree that whoever seizes by harmful capture, or holds captive, or mutilates, or orders to have seized or mutilated a canon or assized of any cathedral church from this province, no one from his hereditary line until the fourth generation inclusively shall be admitted to high office or to a canonry, or to any other

aliud ecclesiasticum beneficium. Et qui tali scienter beneficium contulerit, conferendi potestate sit privatus et collatio ad [754] concilium devolvatur, nec cum istis possit, vel debeat, nisi per sedem apostolicam dispensari, cujus pote[2416A]statem cum debita reverentia volumus in omnibus esse salvam.

XIII. *De praedone vel praeda.*

Statuimus et sacri approbatione concilii diffinimus quod loca in quibus possessiones, domus, aut res unam marcham argenti valentes ecclesiae aut personarum ecclesiasticarum captae, raptae, invasae, vel occupatae detinebuntur, nisi monitione praemissa reddantur vel recedantur, pro jure faciendo vel capiendo coram superiore suo, ecclesiastico subjaceant interdicto. Et si forte alibi transferatur praedo vel praeda, ut aliquando comperimus esse factum, loco il[B]lo in quem facta est translatio subjacente denuo interdicto donec ibi fuerint vel praedo vel praeda primum interdictum nihilo minus in suo robore perseveret, et facta satisfactione laeso de damnis, et ecclesiae de interesse, evanescat interdictum sine alia solemnitate.

XIV. *De officio judicis.*

Quoniam non quicquid officio judicis committitur juris necessitati subjicitur, sed habet iudex discretus considerare quid deceat, liceat, vel expediat ut sic nec desit iustitiae nec offendant iustitiam, et ali[C]quando petitur ab episcopo, seu ejus vicario, vel officiali – ut puta in absolutionibus, et administrationibus sacramentorum, et dispensationibus, et caeteris consimilibus – quod ipse ex officio suo faciat, quod aestimat ipse de jure fieri non debere et sana conscientia, sine offensa Dei et juris injuria, credit se non posse vel debere facere quod petitur ab eodem, evenit aliquando quod capiuntur domestici, familiares, et servientes eorum, aut consanguinei, aut propinqui, et sic non sine offensa Dei et bonorum virorum ignominia puniuntur indebite qui culpabiles non existunt, ne igitur talia vel similia de caetero attententur, sacro approbante concilio, praedicta et praedictorum singula prohibemus, in contra[D]rium facientes, mandantes, et procurantes excommunicationis sententiam proferendo.

XV. *Ut sacerdos²⁰² debeat Missam celebrare.*

Quoniam secundum canonicas sanctiones non alibi quam in locis Deo dicatis Missa [355] debet aliquatenus celebrari nisi summa necessitas hoc exposcat, sacri approbatione concilii, sub poena suspensionis quam in contra facientes ferimus in his scriptis, prohibemus quod ubi habetur ecclesia nullus alibi Missam audeat celebrare nisi a sede apostolica aut ab episcopo²⁰³ loci habuerit licentiam specialem. [E]

202. verius: ubi sacerdos H. *add in margin* CM 203. episcopo] episcopis CM

ecclesiastical benefice. And whoever confers a benefice on such a man shall be deprived of the power of conferring and the allocation shall devolve on the council. And they cannot and must not be absolved except by the Apostolic See, whose power we wish with due reverence to be preserved in all matters.

XIII. Concerning pillage and plunder.

With the approval of the holy council we decree and resolve that places where pillaged, plundered, seized, or usurped possessions, houses, or things belonging to the Church or to ecclesiastical persons with a value of one mark of silver will be kept – unless they are returned or restored before its superior after a warning against making or seizing a right – shall be subject to ecclesiastical interdict. And if perhaps the loot or plunder should be transferred elsewhere, as we have sometimes learned to have happened, when the place to which this transfer was done is subject anew to interdict, as long as the loot and plunder are there, the first interdict would nevertheless remain in force. And when satisfaction for the losses has been made to the injured party, and to the Church for damages, the interdict shall disappear without other formalities.

XIV. Concerning the office of judge.

Not everything that is committed to the office of judge is subject to the constraint of the law, but rather the discreet judge has to consider what is proper, licit, or expedient, so that in this way he neither strays from justice nor offends justice. And sometimes, as for example in absolutions, and administerings of the sacraments, and dispensations, and other things like these, a bishop or his vicar or official asks him to do something from his office that he thinks must not be done by law, and he believes that he cannot or must not do what is asked of him with sound conscience without offense to God and injury to the law. Sometimes it happens that their domestics, familiars, and servants are captured, or relatives or kin, and thus they who are not to blame are unduly punished, not without offense to God and the disgrace of good men. Therefore, so that such things and others like them are not attempted in the future, with the approval of the holy council, we prohibit each and every of the aforesaid things, by bringing a sentence of excommunication against those who do, command, or procure the contrary.

XV. Where a priest must celebrate Mass.

Since according to the canonical decrees Mass must on no account be celebrated anywhere else than in places dedicated to God, unless the greatest necessity demands this, therefore, with the approval of the holy council, on pain of suspension which we, in these writings, bring on those acting contrary to this, we prohibit anyone from daring to celebrate Mass elsewhere when a church is at hand, unless he has special permission from the Apostolic See or from the local bishop.

XVI. *De decimis ecclesiae persolvendis.*

Contumacia non plene solventium decimas vel non computantium de iisdem exigit vel requirit ut sola praedecessorum nostrorum excommunicationis sententia per eos lata in non plene solventes decimas, seu etiam semel in anno ad plenum computantes, contenti non simus, sed ipsam quam [755] multi vilipendere non formidant nostris constitutionibus renovando, juvare cogimur poenae adjectione vallatam, volentes itaque praedictam praedecessorum nostrorum sententiam in suo robore permanere ac ab omnibus et singulis in nostra [2417A] provincia constitutis, inconcusse et inviolabiliter observari, quoniam funiculus triplex difficile rumpitur, sacri approbatione concilii excommunicamus omnes et singulos qui ecclesiis nostris debitas decimas absque deductione expensarum non solvunt, ut tenentur, de omnibus possessionibus, terris, animalibus, appaltis, et de aliis redditibus, seu qui de decimis per se vel per suos non reddunt, infra tempus consuetum, legitimam rationem, id est, a crastino Epiphaniae Domini, usque per totum Februarium, districte praecipientes ut quicumque in nostram praedictam sententiam inciderit, debitas decimas integre non solvendo, vel non reddendo debitam rationem sicut superius est expressum, extunc auctoritate concilii nominatim denunciatur excommunicatus, ab om[B]nibusque tanquam membrum putridum evitetur. Domos etiam et maneria eorum, sive in civitatibus sive in casalibus in quibus habitabunt, usque ad satisfactionem plenariam seu velle dioecesani cui decima debetur, ecclesiastico supponimus interdicto.

XVII. *De iis qui seligunt sepulturam extra ecclesiam.*

[a] Si de parochianis nostris aliquis apud aliam ecclesiam elegerit sepeliri, morte nunciata ipsius, duae tantum campanae pulsantur, et non plures, quia pro[C]cessio non vadit, sed sacerdos cum clerico, cruce, thuribulo, et aqua benedicta ad deferendum funus ad ecclesiam, ibique officio mortuorum expleto, modo debito et honesto sacerdos societ corpus cum clerico, ut superius expressum est, ad locum in quo sepeliri elegit. Nullusque canonicus, seu assisius, vel clericus de choro, pro sociando corpore, seu pro faciendo honore amicis, egrediatur ecclesiam vel dimittat, quia pro certo didicimus quod aliquando contentio orta est inter clericos et aliquos religiosos qui quandoque tollunt corpora in quibus jus non habent, et praeter haec ecclesiis nolunt restituere canonicam portionem.

[b] Haec autem universa et singula, sicut superius [D] sunt expressa, ac sacri concilii provincialis ad hoc specialiter²⁰⁴ congregati approbatione statuta, seu diffinita, vel etiam ordinata, ab omnibus integre, inconcusse, et inviolabiliter volumus et praecipimus observari, salva in [356] omnibus et per omnia debita

204. specialiter] specialitet L

XVI. Concerning paying tithes to the Church.

The obstinacy of those who do not pay their tithes in full, or who do not calculate them fully, demands or requires that we not be content only with the sentence of excommunication of our predecessors that they brought against those who were not paying tithes fully, or even not calculating them fully once a year. Rather, by renewing this – which many are not afraid to hold in scorn – with our regulations, we are forced to assist it, thus reinforced, by adding punishment. We want the aforesaid sentence of our predecessors to remain valid, and to be observed unshakenly and inviolably by each and everyone who is in our province. Therefore, since a triple cord is difficult to break, with the approval of the holy council we excommunicate each and everyone who does not pay, as he is obliged, the tithes owed to our churches, without deduction for expenses, on all possessions, lands, animals, rents, and other incomes, or who does not by himself or through his [agents] render a legitimate account of the tithes within the customary time, that is, from the day after the Epiphany of the Lord until the end of February. We strictly command that whoever incurs our aforesaid sentence by not paying tithes in full, or by not rendering the correct account, as was expressed above, from then, by the authority of the council, he shall be denounced by name as excommunicate and he shall be avoided by all people as a rotten member. And we also place under ecclesiastical interdict their houses and estates, whether they live in cities or in casalia, until [they have made] full satisfaction or satisfaction according to the discretion of the diocesan [bishop] to whom the tithe is owed.

XVII. Concerning those who opt for burial outside the church.

[a] If any of your parishioners should choose to be buried at another church, when his death has been announced two bells should be rung and no more, because a procession is not going, but rather just a priest with a cleric, cross, incenser, and blessed water, for carrying the corpse to the church. And when the office of the dead has been completed there, the priest along with the cleric should accompany the body in a fit and proper way, as was expressed above, to the place in which he chose to be buried. And no canon, or assized, or cleric from the choir should exit the church or leave in order to accompany the body or to honor his friends, because we have learned for certain that sometimes a struggle has arisen among the clerics and some religious who on occasion take away bodies when they have no right, and besides this they do not want to return the canonical portion to the churches.

[b] We want and order that each and every of these things, as expressed above and as decreed or determined or even established with the approval of the holy provincial council gathered especially for this purpose, be fully observed by all unshakenly and inviolably, save due reverence to the Apostolic See in all and

reverentia sedis apostolicae, mandantes sub poena excommunicationis quod nullus addere, detrahare, seu diminuere audeat vel praesumat, nisi quae per subsequens provinciale concilium visa fuerint salubria et etiam opportuna.

[c] Actum, lectum, et publicatum per nos, praedictum Gerardum, Nicosiensem archiepiscopum, apud Nimocium, in ecclesia majori, praesentibus praedictis fratribus et coepiscopis nostris, et caeteris bonis vi[E]ris ad dictum concilium evocatis, ac etiam multis aliis probis viris. Anno Domini millesimo ducentesimo nonagesimo octavo, die XXIII mensis Septembris. In quorum omnium supradictorum testimonium et munimen [756] sigillum nostrum praesenti scripturae duximus apponendum. [2418A]

through all things. On pain of excommunication we order that no one shall dare or presume to add, subtract, or reduce anything except those things that are seen to be healthy and also appropriate by a subsequent provincial council.

[c] Done, read, and published by us, the aforesaid Gerard, archbishop of Nicosia, in Limassol in the Great Church, while our aforesaid brothers and co-bishops and other good men who had been summoned to said council, and also many other honest men, were present, in the year of the Lord 1298, on the twenty-third day of the month of September. We have seen fit that our seal be affixed to the present writing in testimony and defense of all the abovesaid things.

[Text H]

CONSTITUTIONES DOMINI PETRI
miseratione divina Ruthenensis episcopi, apostolicae sedis legati,

Anno MCCCXIII in Nicosiensi synodo publicatae.

I. Petrus [*mg*: aliter: Nos frater Petrus], *miseratione divina Ruthenensis episcopus, apostolicae sedis legatus in partibus cismarinis*, ordinamus, ad evitandum otium viris spiritualibus quam maxime inimicum, quod omnes clerici regni Cypri se occupent in aliquo utili opere quod clericalem deceat honestatem, ut habeant, maxime pauperes, unde possint commode vivere necnon et divites cum caeteris occasionem validam quae[B]cumque animae contraria evitandi, nam “qui operatur terram suam fideliter, saturabitur panibus,” ut ait Sapiens [*mg*: Prov. 18 (*read*: 28)], “et qui sectatur otium replebitur egestate.”²⁰⁵ Quicumque vero his contrariis otiositati vacaverit, de malis omnibus et non immerito est suspectus et accusatus, ad probationem facilem tanquam culpabilis puniendus.

II. Item, quod omnes clerici semper deferant habitum clericalem, nisi talis necessitas immineat quod ad tempus juste possint apud Deum et homines excusari. Et qui contrarium attentare praesumpserit, timeat verbum Domini crudeliter increpantis omnes illos qui vestem induunt peregrinam. Si quis vero [C] repertus fuerit culpabilis in praedictis, toties quoties per praelatum cui subjectus fuerit inventus fuerit deliquisse, in XX bysantiis dandis pauperibus condemnetur, vel alia poena, si ei visum fuerit, pro culpae debito graviore.

III. Item, quod quilibet episcopus conscribi faciat perfecte omnes clericos suae dioecesis ad tardius ab ista synodo infra mensem, ut melius cognoscat oves suas proprias nominatim et clare merita sive demerita praedictorum. Et ut facilius possit eos corrigere, dicat eis in synodo sua quod ipse scit bene vitam et mores diu est singulorum, qui reformatione magna indigent, ut est notum. Et quamvis [*mg*: Eccles. 1] “perversi difficile corrigantur et stultorum sit numerus infinitus,”²⁰⁶ sciant [D] firmissime quod excessus eorum publicos non posset ultra aequanimiter sustinere. Unde praecaveant de caetero ultricem vitii scandalizantis Dominum et populum manum²⁰⁷ suam. Quicumque autem vult gaudere privilegio clericali, post terminum praedictum provideat sibi quod reperiri valeat in hoc scripto, seu in quaternio²⁰⁸ ecclesiae Nicosiensis. [357]

205. Proverbs 28.19. 206. Ecclesiastes 1.15. 207. manum] manu C 208. quaternio] quaterno L

[Text H]

REGULATIONS OF LORD PETER

by Divine Mercy Bishop of Rodez, Legate of the Apostolic See

Published in the Synod of Nicosia in the Year 1313.

I. Peter [*or: We, Brother Peter*], by divine mercy bishop of Rodez, legate of the Apostolic See in the areas of Outremer, in order to avoid the idleness that is especially inimical to spiritual men, do establish that all clerics of the Kingdom of Cyprus shall occupy themselves in some useful work that befits clerical integrity, so that they – especially paupers – may have the means to live according to their needs and the wealthy [may have] along with the others a strong reason for avoiding whatever is against the soul. [Proverbs 28.19] For “he that tilleth his ground shall be filled with bread,” as the Wise one says, and, “he that followeth idleness shall be filled with poverty.” But whoever, going against these, has time for leisure, is – and not undeservedly – suspect and accused of all evils, which is easy to prove, and is to be punished as blameworthy.

II. Again, that all clerics shall always wear the clerical habit, unless such necessity threatens that, at the time, they can be justly excused with God and men. And whoever presumes to attempt the contrary should fear the word of the Lord who harshly rebukes all those who wear foreign clothes. But if anyone is found blameworthy in the aforesaid things, as often as the prelate to whom he is subject finds him in the wrong, he should condemn him to giving 20 bezants to the poor, or some other penalty, if he sees fit, for a more serious debt of fault.

III. Again, that every bishop shall have all clerics of his diocese enrolled completely one month from this synod at the latest, so that he may better know his own sheep by name, and know clearly the merits or demerits of the aforesaid. And so that he can correct them more easily, he shall tell them in his synod that for a long time he has known well the life and ways of all individuals who need much reform, as is [commonly] known. And although [Ecclesiastes 1.15] “the perverse are hard to be corrected and the number of fools is infinite,” they should know with certainty that he cannot calmly put up with their public offenses anymore. Thus in the future they should guard against his own hand avenging the vice that scandalizes the Lord and the people. Moreover, anyone who wants to enjoy clerical privilege after the aforesaid deadline should make sure that he can be found in that document or in the quire of the Church of Nicosia.

IV. Item, quod nullo modo clerici mercationes aliquas exerceant indecentes officio clericali, nec teneant bailivias, nec pertractent odiosa negotia quorumlibet laïcorum, et specialiter quae possent lites sive scandala in patria generare. Nam secundum Apostolum, [*mg*: 2 Tim. 2] “Nemo” fidelis “Deo militans implicat se” pompis et “saecularibus negotiis, ut ei placeat cui se probavit.”²⁰⁹ Qui vero fecerit contrarium, ut dyscolus a cleri[E]cali tramite, secundum scita canonum puniatur, et privetur lucro tali pecuniae acquisitae per proprium episcopum, et per eundem mendicantibus erogetur. De aliis vero quae non sunt minus gravia, prout culpa exegerit, in persona et in officio, si quod habeat, ac in rebus, per illum ad quem pertinet, gravissime distringatur. [757]

V. Item, quod laïcis quibuslibet non tradantur bailiviae nec alia officia praelatorum, nec etiam quorumlibet clericorum. Nam ex hoc multa scandala, damna magna, et vituperia ecclesiae et praelatis ac clericis in istis partibus sunt exorta, et ni caveant forte maiora iis quae dicta sunt adhuc processu temporis [2419A] orientur. Quicumque autem id quod dictum est evitare noluerit, officium suum et ministerium vituperans contra sententiam Apostoli, accusatus a suo superiore gravissime puniatur, et de damnis ecclesiae datis per laïcos officiales praedictos nullam adversus eosdem habeat actionem.

VI. Item, quod omnes clerici addiscant expedite legere qui nesciunt et cantare, necnon grammaticae facultatem, ut sciant et intelligant saltem ad litteram grosso modo illa quae dicunt in ecclesia et audiunt, ad differentiam laïcorum, ne sacerdos fiat ut populus, sculptae imaginis idiota. Nam saepe quaerit Dominus, nec invenit in istis partibus ut deceret, [*mg*: Isa. 33] “Ubi litteratus? Ubi est²¹⁰ verba legis ponderans?” per pro[B]phetam.²¹¹

VII. Item, quod omnes clerici praecaveant dum cantatur vel legitur officium intra ecclesiam vel extra in processionibus, quod non sint actibus vel gestibus dissoluti, sed maturi, devoti, simplices, et quieti, ac Divinis intenti laudibus, ad Dei gloriam et honorem necnon aedificationem omnium fidelium qui assistunt. Quia [*mg*: Ioël 2] “inter vestibulum et altare plorabant sacerdotes ministri Domini, et dicebant, ‘parce Domine, parce populo tuo’,”²¹² cum volebant placare Deum de offensis suis et populi anxii. Qui autem fecerit contrarium, intendens vanis dissolutionibus, statim in publico, per illum qui processioni [C] praeerit sive choro, de aliorum ordine ut dyscolus expellatur, et nunquam nisi per archiepiscopum vel vicarium ipsius ad gradum pristinum reducatur.

209. II Timothy 2.4. 210. est *omit* M 211. Isaiah 33.18. 212. Joel 2.17.

IV. Again, that in no way shall clerics be engaged in any commerce unbecoming of their clerical office, nor shall they hold the position of bailiff, nor shall they handle the odious business of any laymen, especially that which could give rise to lawsuits or scandals in the country. For according to the Apostle [II Timothy 2.4], “No” faithful “man, being a soldier to God, entangleth himself with” pompous and “secular businesses, that he may please him whom he hath engaged himself.” But whoever does the contrary shall be punished according to the decrees of the canons as a licentious person far from the clerical path, and his own bishop shall deprive him of the profit of the money acquired and distribute it to beggars. For the other things, which are no less serious, he shall be punished very heavily with respect to his person and his office, if he has one, and his things, by the person to whom he is subject, as his transgression demands.

V. Again, that neither the office of bailiff nor other offices of prelates nor even of any clerics shall be handed over to any laymen. For many scandals, great damages, and insults to the Church and prelates and clerics in these areas have arisen from this. And if they do not watch out, perhaps in the passing of time still greater [evils] than those mentioned will arise. But whoever does not want to avoid what was said and disparages his office and ministry against the decision of the Apostle, [he who is] thus accused shall be punished heavily by his superior, and he shall not have any right of action against said lay officials for the losses they have caused the Church.

VI. Again, that all clerics who do not know how shall promptly learn reading and singing, besides grammar skills, so that they know and understand in a basic way, at least in the literal sense, what they say and hear in church, to distinguish themselves from lay people, so that the clergy does not become like the people, ignorant of formed thought. For the Lord often seeks and does not find it in these areas as would be proper, [asking] through the prophet [Isaiah 33.18], “Where is the learned? Where is he that pondereth the words of the law?”

VII. Again, that all clerics shall take precautions while the office is being sung or read inside church or outside in processions so that they are not careless in their actions or gestures, but rather mature, devout, simple, and quiet, and focused on the divine praises for the glory and honor of God and for the edification of all the faithful who are present. Because [Joel 2.17] “between the porch and altar, the priests the Lord’s ministers shall weep and shall say, ‘Spare, O Lord, spare Thy people’,” when they wanted to placate God for the offenses done by themselves and by the people, who had become worried. But he who does the contrary, focusing on vain frivolities, shall be expelled from his order as an annoyance, immediately and in public, by the one who leads the procession or choir, and he shall never be returned to his original level except by the archbishop or his vicar.

VIII. Item, quod nullus clericus ecclesiasticis vacans officiis deferre audeat tortos crines, cum secundum Petrum apostolum talis cultus sit habitus mulierum,²¹³ nec coronam lineam, ut miles laicus, seu vayletus,²¹⁴ sed juxta morem curiae debitum clericis, a praedictis absterneat, cum sint manifeste contra decentiam clericalem. Quicumque vero fecerit contrarium, non recedens a tali habitu muliebri et ornatu solis laicis debito, ecclesiam et ejus beneficium, si quod in ea percipit, sibi pro poena noverit interdi[D]ctum, et repertus portare cosiam solvat pro poena II solidos et perdat cosiam.

IX. Item, quod nullus clericus ad sacros ordines venire audeat sub interminatione Divini anathematis et maledictionis aeternae, qui [358] non sit fama publica de legitimo matrimonio procreatus, vel cum quo saltem non fuerit expresse in defectu natalium per dominum summum pontificem, vel alium habentem super hoc potestatem, servato juris ordine dispensatum; bonae utique famae, honestae ac laudabilis vitae, sufficiens vel ad minus competentis litteraturae, ac aetatis congruae secundum gradum ordinis quem requirit; qui etiam titulum habeat in re certa et litteram ad hoc illius domini vel dominae fir[E]mam et stabilem qui vel quae sibi titulum assignavit. Multi enim victum promittunt pariter et vestitum de novo accedentibus ad ordines, et postea cum ordinati repetunt, reddere contradicunt, et oportet eos in vituperium Dei et ordinis quem [758] acceperunt sub eorum confidentia vilissime, ut est notorium, mendicare.

X. Item, quod nullus clericus, maxime intra sacros ordines constitutus, suspectam mulierem teneat vel habeat in domo sua propria, de qua possit apud Deum vel homines sicut incontinenens diffamari. Quicumque vero fecerit contrarium, excommunicationis sententia sit ligatus, necnon privatus beneficio et suspensus ab executione ordinum, quousque satisfactione praevia per illum ad quem pertinet restitui [2420A] mereatur. Hoc enim execrabile flagitium Apostolus in omnibus, et maxime in clericis, cum multis aliis detestatur. [mg: Ephes. 5] "Fornicatio," inquit, "et omnis immunditia vel avaritia nec nominetur in vobis sicut decet sanctos aut turpitudine, aut stultiloquium, aut scurrilitas quae ad rem non pertinet, sed magis actio gratiarum."²¹⁵ Unde si mulier suspecta fuerit in domo clerici cujuslibet deprehensa, sclava, vel ancilla, ipsam pronunciamus ex nunc liberam, et veniat quando sibi placuerit, gratis manumissionis suae a nobis litteram receptura. Et est suspecta mulier cum qua dudum talis concubuit, vel quia juvenis, vel quia dissoluta gestibus, vel quia etiam de malis procurationibus foedis et turpibus palam et publice diff[B]mata.

213. Cf. I Peter 3.3, and I Timothy 2.9. 214. hoc est: armiger; vide Glossarium DuCangi in verbo: valeti H. *add in margin* CM 215. Ephesians 5.3-4.

VIII. Again, that no cleric, omitting his ecclesiastical duties, shall dare to have long flowing hair, since according to the apostle Peter [cf. I Peter 3.3] such an adornment is the habit of women, or a hairstyle like that of a lay knight or squire, but rather, according to the fashion of court that is right for clerics, he shall abstain from the aforesaid, since they are manifestly against clerical decency. But whoever does the contrary, not abandoning such womanly style and adornment that is right for laymen only, shall as punishment find his church and his benefice, if he has one in it, to be under interdict, and he who is found wearing a hat shall for punishment pay eleven solidi and lose the hat.

IX. Again, on threat of divine anathema and eternal curse, that no cleric shall dare to come to holy orders who is not in public opinion the offspring of a legitimate marriage, or for whom, with due observation of the law, the lord the highest pontiff or someone else having power over this has not at least expressly given a dispensation for defect of birth. [He should be] of good reputation, honest and praiseworthy life, sufficient or at least competent in letters, and of an age fitting for the level of orders that he seeks. He should also have a title to some fixed property, and a stable and firm letter testifying to this from the lord or lady who has assigned the title to him. For many promise both food and clothing to those newly coming to holy orders, and afterwards when they who have been ordained ask for them, they refuse to render them. And as an insult to God and to the order they have accepted in their confidence in those people, it is necessary for them to beg in the lowest fashion, as is notorious.

X. Again, that no cleric, especially one who is in holy orders, shall maintain or have in his own house a suspect woman by whom he could be defamed with God or men as incontinent. But whoever does the contrary shall be bound by a sentence of excommunication and also deprived of his benefice and suspended from carrying out his duties until, when satisfaction has been done first, he deserves to get it back through the [prelate] to whom he is subject. For among many other things the Apostle abhors this accursed scandal in all people, especially clerics. He says [Ephesians 5.3-4], "Fornication and all uncleanness or covetousness, let it not so much as be named among you, as becometh saints, or obscenity or foolish talking or scurrility, which is to no purpose, but rather giving of thanks." Thus if a suspect woman is discovered in the house of any cleric, whether she is a slave or servant, we pronounce her free from this time on, and she shall come when she pleases to receive from us a free letter of manumission. And a woman is suspect with whom such a [cleric] has just slept, or because she is young, or because she is dissolute in her actions, or even because she has been clearly and publicly defamed for purveying evil, vile, and obscene things.

XI. Item, quod nullus clericus, sine necessitate maxima, vel in itinere constitutus, bibat vel comedat in taberna, nec eandem vel alia loca intret quoquomodo suspecta. Quicumque autem fecerit contrarium, pro qualibet vice tribus diebus in pane et aqua debeat jejunare, et non intret ecclesiam nec aliquid recipiat in eadem quousque poenitentiam compleverit supradictam. Et ultra hoc, accusatus legitime de re tali solvat pro vice qualibet III solidos, dandos pauperibus per officialem archiepiscopi, vel ejus vicarium, in cujus civitate vel dioecesi facit moram.

XII. Item, quod nullus clericus tanquam suae sa[C]lutis immemor furto rei notabilis se exponat. Quicumque autem fecerit contrarium, damnum passo restituat duas partes, licet quinque secundum legem Moysis restituere teneatur.²¹⁶

XIII. Item, quod nullus clericus arma quaelibet de nocte portare audeat nec de die, nisi talis casus emergeret quod hoc licite posset facere sine culpa. Quicumque autem fecerit contrarium, privetur armis omnibus per praelatum ad quem hoc pertinet, et ultra hoc, prout de jure fuerit, puniatur. “Arma quidem nostrae militiae non sunt carnalia,”²¹⁷ dicit Apostolus, sed potius spiritualia, quibus debemus nos defendere ab hostibus ecclesiae ac fidei et totum populum Christianum. [D]

XIV. Item, quod nullus clericus ad otia dum [359] diu sedeat in plateis in quibus facile judicantur innoxii qui transeunt per sedentes, sed potius in occulto despiciat et judicet semetipsum, nam judicabitur a Domino, quia judicavit ignorans alios. Nec ludat publice vel occulte, nec lusores respiciat sive associet, recipiat, vel det eis, aut etiam malefactoribus quibuslibet, consilium, auxilium, vel favorem. Nam [*mg*: Psal. 17] “cum sancto sanctus eris... et cum perversis” necessario “perverteris.”²¹⁸ [*mg*: 2 Cor. 6] “Quae est participatio justitiae cum iniquitate?”²¹⁹ ait Apostolus, quasi dicat, “Nulla penitus debet esse.”

XV. Item, ad evitandum tumultum et deordinationem chori, detur pecunia canonicis [759] et aliis paci[E]fice tali hora in diebus solemnibus quod Missam celebrans non turbetur, nec alii circumstantes, ut sit cultus justitiae silentium et discursus indebitus per chorum et ecclesiam tunc temporis compescatur.

XVI. Item, qualibet die Dominica et festo solemni semper in majori ecclesia fiat sermo prout decanus provide ordinabit. Nam [*mg*: Hebr. 4] “vivus est sermo Dei et efficax, et penetrabilior omni gladio ancipiti, pertingens usque ad divisionem animae ac spiritus, compagum quoque et medullarum, et discretor cogitationum

216. Cf. Exodus 22.1. 217. II Corinthians 10.4. 218. Psalm 17.26-27. 219. II Corinthians 6.14.

XI. Again, that no cleric shall drink or eat in a tavern, except out of great necessity or when he is on a journey, nor shall he enter one, or other suspect places, on any account. However, whoever does the contrary must fast three days on bread and water for each offense, and he shall not enter church nor receive anything in it until he has completed the abovesaid penance. And besides this, the person legitimately accused of such a thing shall pay three solidi for each offense, to be given to the poor by the official of the archbishop, or his vicar, in whose city or diocese he makes a stop [at such a place].

XII. Again, that no cleric, forgetful of his own salvation, shall commit theft of anything of significance. However, whoever does the contrary shall repay the sufferer twice as much as the damage, although he is obliged to repay five-fold according to the law of Moses [cf. Exodus 22.1].

XIII. Again, that no cleric shall dare to carry any arms at night, nor in the day, unless such a situation emerges that he could do it licitly without fault. However, whoever does the contrary shall be deprived of all arms by the prelate to whom he belongs, and besides that he shall be punished as the law allows. "Indeed, the weapons of our warfare are not carnal," the Apostle says [II Corinthians 10.4], but rather spiritual, with which we must defend ourselves and the entire Christian people from the enemies of the Church.

XIV. Again, that no cleric shall loiter for a long time in the streets, where those who walk by, though innocent, are easily judged by those who are loitering. Rather in private he shall despise and judge himself [for this], for he will be judged by the Lord because, not knowing, he judged others. Nor shall he play games publicly or secretly, nor pay attention to, associate with, or welcome the players, or give them or any evildoers advice, assistance, or favor. For [Psalm 17.26] "with the holy thou wilt be holy, and with the perverse" necessarily "thou wilt be perverted." [II Corinthians 6.14] "For what participation hath justice with injustice?" says the Apostle, as if to say, "There must be none at all."

XV. Again, to avoid tumult and disorder in the choir, money shall be given to the canons and others peacefully on solemn days at such a time that the person celebrating Mass is not disturbed, nor those who are standing around, so that there is silence for the harmony of the worship and so that undue conversation is restrained in the choir and church at that point in time.

XVI. Again, every Sunday and solemn feast a sermon shall always be given in the Great Church, as will be arranged carefully by the dean. For [Hebrews 4.12] "the word of God is living and effectual and more piercing than any two edged sword and reaching unto the division of the soul and the spirit, of the joints also

ac intentionum cordis,”²²⁰ ait Apostolus, [*mg*: Is. 55] “nec revertetur ad me vacuus,” praedictus sermo, dicit Dominus, “sed faciet et prosperabitur in omnibus ad quaecumque” salubria “illum misi.”²²¹ [2421A]

XVII. Item, obsecramus in Domino,²²² licet auctoritatem habeamus super hoc imperandi, quod in altari²²³ maioris ecclesiae Nicosiensis soli canonici²²⁴ ecclesiae administrent tam in Missis quam in epistolis et evangelis, et quod alternis vicibus per ordinem fiant hebdomadarii et cantores in diebus solemnibus propter sedis authenticum principatum. Honor tamen et reverentia fiat episcopis et aliis superioribus, quando eis placuerit in praedicta ecclesia celebrare.

XVIII. Item, quod nullus presbyter sine confessione praevia temere audeat celebrare, dum tamen possit commode habere copiam sacerdotis et necessitatis articulus non emergat ut sine²²⁵ confessione²²⁶ fa[B]ciem Dei praeoccupet, ne irascatur Dominus contra eum, et subito ultionem recipiat de peccatis.

XIX. Item, quod sacerdotes, quando celebrant, cum summa reverentia et in silentio ac devote se habeant in altari, et post ablutionem manuum nihil omnino teneant in capite propter frigus vel aliud, nam facerent magnam irreverentiam atque intolerabilem sacramento. Et quicumque contrarium attentare praesumpserit, loquendo scilicet impertinentia seu clamose, vel tenendo quicquam in capite tanquam irreverens, indevotus, atque insipiens, a quolibet officio Missae privatus sit per tres [C] menses et ultra, etiam quousque per iudicium praelati sui proprii ad statum celebrandi congruum et debitum reducatur. Et idem ordinamus penitus de ignorantibus presbyteris qui defectus multos in Missa faciunt dum celebrant coram Deo et populo, et facere nullatenus erubescunt.

XX. Item, quod Divinum officium in choro melius recitetur, de die pariter et de nocte, ad Dei gloriam et honorem, necnon aedificationem populi, et debitum ministrorum ecclesiae fidelius persolvendum. Nam si de die pauci nunc ad chorum veniunt, de nocte multo veniunt pauciores, et cum pro labore suo reci[360]pant bona stipendia et pinguia, debent ea [D] fideliter et sine fraude qualibet promereri.

XXI. Item, quod quilibet sacerdos specialiter de propria licentia sui episcopi discretum habeat suum confessorem, cui et non alii semper, quando commode poterit, confiteatur integre, humiliter, et devote. Necesse est enim, ait Gregorius,²²⁷ ut manus mundas habeat qui aliorum tergere sordes curat. Nolumus

220. Hebrews 4.12. 221. Isaiah 55.11 222. Domino] Domivo L 223. quod in altari] quoid in altari L 224. canonici] canonic L 225. sine] sua M 226. forte: non emergat ut non sine confessione H. *add in margin* CM 227. Reference not found.

and the marrow, and is a discerner of the thoughts and intents of the heart,” says the Apostle, [Isaiah 55.11] “neither shall” said sermon “return to me void,” the Lord says, “but it shall do whatsoever I please and shall prosper in the” healthy “things for which I sent.”

XVII. Again, although we do not have the authority to give orders for this, we implore in the Lord that only canons of the Church should administer at the altar of the Great Church of Nicosia, both in Masses and in the Epistles and Gospels, and that the weekly priests and cantors should take alternating turns in their order on solemn days because of the authoritative rule of that see. But honor and reverence should be given to bishops and other superiors, when it pleases them to celebrate in the aforesaid church.

XVIII. Again, that no priest shall dare to celebrate rashly without prior confession, at least while he is able to have easy access to [another] priest and no case of necessity arises for him to come face to face with God without confession, so that the Lord does not become angry with him, and so that he does not receive revenge for his sins suddenly.

XIX. Again, that when priests celebrate they shall conduct themselves at the altar with the highest reverence, devoutly and in silence. And after they wash their hands, they shall have nothing at all on their heads because of the cold or anything else, for they would do a great and intolerable irreverence to the sacrament. And whoever presumes to attempt the contrary, namely by saying impertinent things or speaking loudly, or by having anything on his head, such a irreverent, indevout, and foolish man shall be deprived of every office of Mass for three months and more even, until he is restored at the discretion of his own prelate to the fitting and proper state of celebrating. And we establish the same thing exactly for ignorant priests who make many errors in Mass when they celebrate before God and the people and yet do not blush to make them.

XX. Again, that the divine office shall be recited better in the choir, both in the day and at night, for the honor and glory of God and also for the edification of the people and for paying the debt of the ministers of the Church more faithfully. For if few come to the choir now in the day, still fewer come at night. And since they receive good and lucrative stipends for their labor, they must earn them faithfully and without any fraud.

XXI. Again, that by special permission of his bishop every priest is to have his own separate confessor to whom – and to nobody else – he should confess fully, humbly, and devoutly, when he can suitably do so. For it is necessary, Gregory says, for the one who tends to the cleaning of others’ filth to have clean hands.

tamen, nec approbamus, quod confessus vice versa suum eodem tempore audire debeat confessorem.

XXII. Item, quod omnes clerici de alienis par[760]tibus venientes certificent episcopum in cujus eligunt dioecesi residere de susceptis ordinibus per litteras vel per testes, et aliter eos non ordinet, si requirant, [E] nec permittat eos sacramenta ecclesiastica ministrare.

XXIII. Item, quod informetur provide sacerdotes in synodis, cum diligentia et efficacia salutari, quod claves sibi traditas per sacerdotium ad aliqua illicita non extendant, excommunicatos videlicet absolvendo et alios culpabiles, in casibus episcopis reservatis. Nam sic eos deciperent et seipsos, qui nullam super hoc habent potestatem.

XXIV. Item, quod infra praesentem annum canonici ecclesiae Nicosiensis totum officium ecclesiae perfecte corrigant ut sit perpetuo uniforme, vel assumant ex tunc in posterum officium Romanae curiae antiquitus cum magna diligentia ordinatum. Et ad hoc per obedientiam sacram dicti canonici teneantur, nec aliquid recipiant de suis juribus in praedicta ecclesia ultra praefatum terminum, quous[2422A]que ordinauerint de Divino officio ecclesiae, ut dictum est.

XXV. Item, quod sine necessitatis articulo, nullus presbyter confessionem audiat cujusdam subditi, sive parochiani, magistri, capellani, sine sua licentia et informatione utili et salubri qualiter eum moneat plenissime confiteri et satisfacere integraliter, ut tenetur. Et etiam, si est excommunicatus, quod primo faciat se absolvi, nam aliter nihil²²⁸ prodest sibi confessio ad salutem, nec absolutio potest dari.

XXVI. Item, quod sine magna causa et notabili, ut est mortis articulus vel etiam gravis infirmitas et evidens periculum, nulli carnes comedendi licentia in Quadragesima et aliis abstinendi temporibus [B] concedatur, quia non potest fieri, servato juris ordine, nec status ecclesiae sanctae, quem transgredi gravissimum peccatum est. Et si absque licentia ministrorum ecclesiae forsitan aliqui carnes comederint, praeter modos qui dicti sunt, puniantur ecclesiastica disciplina, nec absolvantur leviter, nec etiam per quoslibet, sed solum per archiepiscopum vel ejus suffraganeos, qui more infidelium ipsos puniant, si publice deliquerunt, vel domino summo pontifici, si visum ei fuerit, tales mittant.

XXVII. Item, quod omnes clerici vitent excessum quemlibet in vestibus, cibis,

228. nihil] nihil M

Nevertheless we do not want – nor do we approve of it – the one who confesses to have to hear vice versa [the confession of] the confessor at the same time.

XXII. Again, that all clerics coming from foreign regions are to certify the bishop in whose diocese they choose to reside about the [clerical] orders they have received, though letters or witnesses. Otherwise he shall not ordain them, if they ask for it, not permit them to minister the ecclesiastical sacraments.

XXIII. Again, that priests are to be prudently informed in synods, with diligence and healthy efficiency, that they are not to extend the keys handed to them by the priesthood to any illicit things, namely by absolving excommunicates and other culpable people in cases reserved for bishops. For in this way they deceive the others and themselves, who have no power over this matter.

XXIV. Again, that within the present year the canons of the Church of Nicosia shall correct the entire office of the church completely, so that it is perpetually uniform, or they shall adopt from that time on the office of the Roman Curia, which was established in ancient times with great care. And said canons are to be held to this by holy obedience, nor shall they receive any of their rights in the aforesaid church after the aforesaid deadline until they establish a divine office for the church, as was said.

XXV. Again, that except in case of emergency, no priest shall hear the confession of any subject, whether parishioner, master, [or] chaplain, without his permission, and with useful and healthy information he shall warn him about how to confess most fully and to make complete satisfaction, as he is obliged. And if he is excommunicate, [he is to warn] him also that he should have himself absolved [from the sentence] first, for otherwise the confession is of no use for salvation, nor can absolution [for sins] be given.

XXVI. Again, that without a good and significant reason, such as the point of death, or even serious illness and evident danger, permission to eat meat during Lent and in other times of fasting shall be granted to no one, because this cannot happen when the order of law is observed, nor that of the Holy Church's position, which it is a very serious sin to transgress. And if perhaps some people should eat meat without the permission of ministers of the Church, besides the ways that have been said they are to be punished with ecclesiastical discipline, nor shall they be absolved lightly, nor by just anyone either, but only by the archbishop or his suffragans. They shall punish them in the manner of infidels, if they transgress publicly, or send them to the lord the highest pontiff, if it is deemed necessary.

XXVII. Again, that all clerics are to avoid all excess in clothing, food, horses,

equis, sellis, et aliis [C] quibuscumque. Non enim Christi pauperis collatum sibi patrimonium debent in excessu expendere, sed in suis necessitatibus moderatis, ut eorum modestia cunctis hominibus fiat nota, et specialiter in epulis, nam superfluitas in talibus notorium est peccatum. [*mg*: Eccli. 31] “Utere quasi homo frugi,” ait sapiens iis “quae tibi apponuntur, ut non cum manducas multum odio habearis.”²²⁹ [361]

XXVIII. Item, quod dominus archiepiscopus ac ejus omnes suffraganei episcopi haereses et errores contra fidem catholicam, bonos mores, et doctrinam sanam et salutiferam Christi et ecclesiae Romanae, modis et viis quibus poterunt, de regno Cypri et [D] provincia satagant extirpare, quia procreante diabolo, multo major [*mg*: deest: numerus] est ibi hodie infidelium, ut intelleximus a pluribus fide dignis, quam sit fidelium. Et hoc esse non potest sine magna negligentia praelatorum, quia non carent scrupulo societatis occultae qui sic manifesto facinori patenter desinunt obviare. [761]

XXIX. Item, quod omnia sacramenta ecclesiae sanitate vigente corporis recipiantur in ecclesia et publice, non occulte. Nec aliquis extra ecclesiam illa sine necessitate maxima, ut est mortis articulus, administret. Quicumque vero fecerit contrarium, poena canonica gravissime puniatur.

XXX. Item, quod discrete provideant episcopi et [E] praelati ut quilibet ecclesiae suae in scripto manu publica redditus omnes faciat annotari, et in tribus aut quatuor locis fideliter et integre conservari ad maiorem memoriam futurorum.

XXXI. Item, quod ecclesiae ornamenta sint multa, numerosa, et varia, sicut decet, ac plures etiam servitores, libri boni et utiles, ac calices argentei et aurei, campanae multae insuper, prout facultates ecclesiae commode poterunt sustinere, ita quod laus Divina valeat honorabiliter in qualibet ecclesia episcopali fieri sicut decet.

XXXII. Item, quod solemnes fiant ecclesiae per praelatos ubi factae non sunt, secundum loci exigentiam cujuslibet, de opere bono et solido, tamen nullatenus cimoso, et alia similiter aedificia utilia et necessaria pro habitationibus praelatorum. Et in locis suis episcopi resideant continue, ut tenentur, quando [2423A] alibi facere pro arduis negotiis ecclesiae non habebunt.

XXXIII. Item, quod quilibet episcopus et praelatus, sicut pater, subjectos suos, et maxime clericos ut filios carissimos, erudiat et nutriet in moribus et disciplinis,

229. Ecclesiasticus 31.19.

saddles, and everything else. For they must not spend in excess the patrimony of Christ the Pauper that has been allotted to them, but rather on their moderate needs, so that their modesty is made known to all men, and especially at banquets, for superfluity in these is a notorious sin [Ecclesiasticus 31.19]: "Use as a frugal man," says the Wise one, "the things that are set before thee, lest if thou eatest much, thou be hated."

XXVIII. Again, that in the ways and paths that they can the lord archbishop and all his suffragan bishops shall endeavor to uproot from the Kingdom and province of Cyprus the heresies and errors that are against the Catholic faith, good morals, and the sane and salvific teaching of Christ and the Roman Church. Because as the Devil has procreated, [the number] of the infidels is much greater than that of the faithful, as we have learned from many trustworthy persons. And this cannot be without great negligence on the part of the prelates, because those who openly refrain from opposing such a manifest crime do not avoid being suspected of having secret connections.

XXIX. Again, that all the ecclesiastical sacraments of the Church are to be received in church publicly, not in secret, while one is sound of body, nor is anyone to administer them outside church without the greatest necessity, as on the point of death. But whoever does the contrary shall be punished most severely with the canonical punishment.

XXX. Again, that bishops and prelates should scrupulously make sure that each [of them] has all the incomes of his church put down in writing by a public hand, and [the book] kept faithfully and entirely in three or four places for the better memory of future men.

XXXI. Again, that there shall be many, numerous, and various church ornaments, as is proper, and also many attendants, good and useful books, and silver and gold chalices, and many bells, moreover, as far as the church's abilities can comfortably support, so that the divine praise is able to happen appropriately in every episcopal church.

XXXII. Again, that prelates shall build solemn churches where they have not been built, according to the requirements of each place, of good and solid workmanship, but not at all high, and similarly [they shall build] the other buildings that are useful and necessary for the dwellings of prelates. And bishops shall reside in their places continually, as they are obliged, when they do not have to do the arduous business of the Church elsewhere.

XXXIII. Again, that, like a father, every bishop and prelate shall instruct and nourish his subjects, particularly clerics, like his dearest sons, in manners and discipline,

specialiter legis Dei atque coelestium mandatorum. Et super eos vigilet diligenter ne deviet per errorem a recto tramite veritatis ac fidei, quae viam aperit fidelibus ad salutem.

XXXIV. Item, quod nullus clericus, in publico vel occulto, praelato suo audeat iniquo animo detrahare vel falso eum apud aliquem diffamare. Nam hoc esset magnum periculum et peccatum praeter damnum ecclesiae, quod non posset de facili reparari, nec non et animae diffamantis occisio et pacis perturbatio morum. [mg: Eccli. 28] “Vir enim peccator turbabit amicos,” [B] ut ait Sapiens, “et in medio pacem habentium immittet inimicitias.”²³⁰ Quare “susurro et bilinguis” a Deo est “maledictus, multos enim turbat pacem habentes.”²³¹ Quicumque vero taliter inventus fuerit falso praelatum suum vel episcopum diffamasse, causa suscitandi litem atque discordiam inter ipsum et populum, vel dominum temporalem, aut clerum suum, seu capitulum, ab omnibus beneficiis et officiis sit suspensus, quousque satisfecerit de offensa ecclesiae ac praelato, prout de jure fuerit faciendum.

XXXV. Item, quod festum de corpore Domini, secundum ordinationem felicitis recordationis Urbani Papae, fiat solemniter in tota pro[362]vincia Nicosiensi feria quinta post octavam Pentecostes, cum octava.²³² [C]

XXXVI. Item, quod corpus Domini extra ecclesiam, quando necesse fuerit, cum magna reverentia deferatur, et infirmis cum devotione, ut decens est, ministretur. Quicumque autem in itinere sibi occurrerint dum portatur adorent eum flexis genibus, humiliter, nudato capite, ac junctis manibus, reverenter. Et omnibus qui per XL passus eum associaverint, vel vestes pedibus portantis eum straverint in via, vel lumina sibi accenderint, XL dies de indulgentia elargimur. Et si equitantes portan[762]ti corpus Domini occurrerint, debent statim descendere, ac regi regum Domino devotam reverentiam cordis et corporis humiliter exhibere.

XXXVII. Item, quod omnes clerici, tam juvenes [D] quam alii, qui chorum intrare voluerint, capis nigris in hieme dum dicetur officium, sicut canonici, de caetero induantur.

XXXVIII. Item, quod omnes clerici, ut consuetum est, diebus Dominicis singulis ad processionem omnino veniant, et nullus audeat remanere, de illis specialiter qui sunt ad hoc per statutum ecclesiae obligati. Et quicumque remanserit sine licentia speciali et causa valde necessaria, nihil ex tunc recipiat in eadem, quousque fuerit per mandatum archiepiscopi, vel vicarii ejusdem, voce vel littera restitutus.

230. Ecclesiasticus 28.11. 231. Ecclesiasticus 28.15. 232. Urban IV, Bull “Transiturus,” 8 September 1264.

especially that of God's law and of the heavenly commands. He shall be diligently vigilant over them, so that they do not deviate through error from the right path of the truth and of the faith which opens the way to salvation for the faithful.

XXXIV. Again, that no cleric, in public or private, shall dare slander his prelate maliciously or defame him falsely to anyone. For this would be a great danger and sin, beyond the harm to the Church, which would not be easy to repair. And also [it would be] the extermination of the soul of the defamer, and the disturbance of the habits of peace, for [Ecclesiasticus 28.11] "a sinful man will trouble his friends," as the Wise one says, "and bring in debate in the midst of them that are at peace." Wherefore [28.15] "the whisperer and the double tongued is accursed, for he hath troubled many that were at peace." But whoever is found to have falsely defamed his prelate or bishop in this way in order to stir up a quarrel and discord between him and the people, or the temporal lord, or his clergy, or his chapter, he shall be suspended from all benefices and offices until he makes satisfaction for the offense to the Church and prelate, just as must be done by law.

XXXV. Again, that the feast of Corpus Christi [the Lord's body], in accordance with the ordinance of Pope Urban of happy memory, shall take place solemnly in the whole province of Nicosia on the Thursday after the Octaves of Pentecost, with an octave.

XXXVI. Again, that when it is necessary the Lord's body is to be carried with great reverence outside church and ministered with devotion to the sick, as is proper. Whoever in going about happens upon it while it is being carried shall worship Him by kneeling humbly, the head bared, and the hands joined together reverently. And we grant 40 days' indulgence to all those who follow it for 40 steps, or lay clothes in the street before the feet of him who carries it, or kindle lights for it. And if riders should happen upon someone carrying the Lord's body, they must dismount immediately and humbly show devout reverence in heart and body to the Lord, the King of Kings.

XXXVII. Again, that all clerics, both young ones and others, who wish to enter the choir shall from now on wear black copes in winter when the [divine] office is being said, just as canons do.

XXXVIII. Again, that by all accounts all clerics are to come to the procession every Sunday as is customary, and no one shall dare stay behind, especially those who are obliged to this by the Church's decree. And whoever stays behind without special permission and a very necessary reason shall not receive anything in it [i.e. the church or procession] from that time until he is restored orally or by letter on the orders of the archbishop or his vicar.

XXXIX. Item, quod nullo tempore utantur [E] clerici servitio ecclesiae deputati, maxime in choro vel locis aliis sacris, ineptis novitatibus, nec cantu aliquo dissoluto, contra usum laudabilem ecclesiae Nicosiensis.

XL. Item, quod omnes clerici contra nostram sententiam focarias retinentes excommunicentur nominatim et publice, ac conferantur aliis eorum beneficia, nec audeant in susceptis ordinibus ministrare.

XLI. Item, quod omnes clerici servitio ecclesiae deputati has omnes constitutiones habeant et alias per legatum cardinalem et Nicosienses archiepis[2424A]copos dudum factas, quas omni mense legant semel ad minus, tam provide quam distincte, ut melius sciant quid habent facere circa ecclesiam et non possint de ignorantia excusari.

XLII.[a] Item, quod bacularii nostri et etiam ecclesiae omnes illos qui contra dictas constitutiones facient, vel aliquam predictarum, ex nunc aperte potestatem habeant citandi eos personaliter coram nobis, ut pro demeritis in corpore vel in pecunia puniantur.

[b] Lectae et recitatae fuerunt constitutiones seu ordinationes praedictae in majori ecclesia Nicosiensi, Anno Domini millesimo trecentesimo tertio decimo, Indictione XI, die XV mensis Iunii, in qua fuit synodus celebrata. [B; 363]

XXXIX. Again, that at no time shall clerics who are assigned to the service of a church use foolish innovations or any loose chant contrary to the praiseworthy usage of the Church of Nicosia, especially in the choir or other holy places.

XL. Again, that all clerics keeping concubines against our decree shall be excommunicated publicly and by name and their benefices shall be conferred on others, nor shall they dare minister in the [holy] orders they have taken.

XLI. Again, that all clerics who are assigned to the service of a church shall possess all of these regulations and others made by the cardinal-legate [Eudes] and the Nicosia archbishops some time ago, which they shall read at least once every month both carefully and clearly, so that they know better what they have to do in connection with the Church and are not able to be excused out of ignorance.

XLII.[a] Again, that our clerks and also all churches shall have openly, from now on, the power of citing [to appear] personally before us all those who go against said regulations or any of the aforesaid, so that they are punished for their demerits in their body or in money.

[b] These regulations or ordinances were read and recited in the Great Church of Nicosia in the year of the Lord 1313, Indiction eleven, on the fifteenth day of the month of June, on which day the synod was held.

[Text I]

CONSTITUTIONES IOANNIS archiepiscopi Nicosiensis

Anno MCCCXX.

In nomine Domini, amen.

[a] Infra scriptae sunt constitutiones et ordinationes factae per reverendum in Christo patrem et dominum, dominum fratrem Ioannem, archiepiscopum Nicosiensem, super emendatione et correctione ac reformatione maioris ecclesiae Nicosiensis, ipsius capituli, ac clericorum Ni[C]cosiensium.

PROOEMIUM

[b] Quia pastoralis curae sollicitudo esse debet, et ad hoc illam Deus praeordinavit, ut evellat, dissipet, plantet, et aedificet, et nos, frater Ioannes, archiepiscopus praedictus, ex debito nobis incumbentis officii nostram matricem ec[763]clesiam Nicosiensem visitaverimus secundum modum et formam ecclesiasticarum traditionum, et invenerimus nonnulla emendatione ac eradicatione digna, nonnulla egere reformatione, et aliqua ibi necessario fore aedificanda seu plantanda, quantum cum Deo possumus volentes ea emendare, corrigere, aedificare, seu plan[D]tare.

I. Ut assisii et alii beneficiati quotidie per se officium celebrent in ecclesia.
Ordinamus, statuimus, et mandamus quod omnes assisii et alii beneficiati in dicta ecclesia continue debeant horis consuetis ad dictam ecclesiam accedere ad officium celebrandum per se tantum, et non per hebdomadas, et ad serviendum in ordine suo. Contra facientes autem poena duplici²³³ ejus quae ante consuevit solvi debeant de facto mulctari, nisi infirmitate excusarentur. [E]

II. De punctatione deficientium.

Item, ordinamus et mandamus quod omnes canonici percipientes praebendam debeant interesse Divino officio diebus singulis, nisi justa de causa excusarentur, de qua eorum conscientias oneramus. Et tunc clericos suos, quos tenent et debent tenere, mittere teneantur. Alias autem, si contra fecerint, poena denariorum sex

233. duplici] dupli L

[Text I]

REGULATIONS OF JOHN
Archbishop of Nicosia

In the Year 1320.

In the name of the Lord, amen.

[a] Below are written the regulations and ordinances made by the reverend father and lord in Christ, Lord Brother John, archbishop of Nicosia, concerning the emendation, correction, and reform of the Great Church of Nicosia, its chapter, and the clerics of Nicosia.

PREFACE

[b] Because the concern of pastoral care must be – and God established it for this purpose – to uproot, to destroy, to plant, and to build, we, Brother John, the aforesaid archbishop of Nicosia, from the duty of the office that is incumbent on us, have made a visitation of our mother Church of Nicosia according to the way and form of the ecclesiastical traditions, and we have found several things there worthy of emendation and eradication, several things in need of reform, and some things that should of necessity be built or planted. We want to emend, correct, build, or plant as much as we can with God.

I. That those who are assized and others who are beneficed should themselves perform their duty daily in church.

We establish, decree, and command that all those who are assized and others who are beneficed in said church must themselves, personally, go continually – and not just for week duties – to said church at the customary hours for celebrating the [divine] office and for serving in their order. Those who act contrary to this must be by the very fact slapped with a punishment double that which is usually to be paid, unless they are excused because of illness.

II. On checking off those who are absent.

Again, we establish and command that all canons who receive prebends must be present at the divine office each day unless they are excused for just cause, for which we leave the burden to their consciences. And in that case they shall be obliged to send their clerics whom they maintain and must maintain. But if they should act otherwise against this, they are to be punished with a fine of six

puniantur et punctentur sicut caeteri, et pro eorum clericis ipsorum domini teneantur. [2425A]

III. *De habitu intra ecclesiam portando.*

Item, praecipimus et mandamus quod canonici omnes et assisii et alii beneficiati dictae ecclesiae nullo modo debeant intrare ecclesiam nisi habitu honesto induti, videlicet in hieme: canonici capis, et assisii et alii beneficiati capis; in aestate: superpellicio sive cotta, et canonici cum almutiis. Et in hoc nullam excusationem seu exceptionem praetendant, poena duorum bysantiorum canonici, et unius bysantii assisii. [364]

IV. *De habitu extra ecclesiam.* [B]

Item, praecipimus ut tam canonici quam alii clerici beneficiati, sive maioris ecclesiae sive nostrae dioecesis, in habitu corporis et statu mentis et Deo et²³⁴ hominibus studeant placere, ut nec in superstitiosis vestibus aut tonsura intuentium, quorum forma et exemplum esse debent, offendant aspectum, scilicet ut nullus extra domum suam portet guarnachiam deante scissam, seu apertam per terram, nec maspillos de argento seu auro, nisi de panno tantum aut osse, nec capillos habeant descendentes ultra extremitatem ultimam auris. Et qui post octo dies a die praesentis monitionis inventus fuerit in tali habitu prohibito, poena duorum solidorum pro vice quali[C]bet puniatur.

V. *De anniversariis pro defunctis solemniter celebrandis.*

Item, statuimus et ordinamus quod anniversaria quae pro defunctis celebrantur debeant solemniter celebrari ad hoc ut viventes inducantur exemplo pro defunctis oblationes offerre, [764] cum [mg: Mat. 12.3] “salubris sit cogitatio pro defunctis exorare.”²³⁵ Deficientes autem et contra facientes per illum qui regit chorum debent ad hoc moneri. Quod si se non correxerit seu emendaverit, parte sibi de anniversario contingenti privatus sit ipso facto, et aliud tantumdem perdat.

VI. *De Missa pro defunctis.* [D]

Item, quod, sicut scriptum est, omnes morimur, et alibi, quia pro obeuntibus Deus placandus est sacerdotum oblationibus aut carorum eleemosynis, ideo statuimus et ordinamus quod continue in dicta ecclesia majori, post Missam de beata Maria virgine, dicatur Missa pro defunctis in altari beati Martini per illos per quos consuevit fieri.

VII. *Ut exeuntes de choro punctentur.*

Item, quia multi sunt de assisiis et aliis beneficiatis qui seipsos decipiunt et aliis detrahendi de eis praebent exemplum, exeuntes chorum quasi volen[E]tes

234. et omit L 235. II Maccabees 12.46. The reference in the editions is erroneous.

denarii and checked off just like others. And the lords are to be held responsible for their own clerics. [2425A]

III. *Concerning the habit that should be worn in church.*

Again, we order and command that all canons and those who are assized and others who are beneficed in said church must on no account enter church unless they are dressed in a respectable habit, namely in winter the canons in capes, and the assized and others who are beneficed in capes; in summer, in their surplice or cowl, and the canons with almuces. And in this matter they shall not offer any excuse or make an exception, on pain of two bezants for canons, one bezant for those assized.

IV. *Concerning dress outside the church.*

Again, we order that both canons and other beneficed clerics, whether of the Great Church or our diocese, are to strive to be pleasing to God and men in their habit of body and state of mind, so that they will not offend in their religious clothes and tonsure the gaze of those who see them, whose ideal and example they must be. That is, no one is to wear outside of his house a cloak that is cut open in front or open to the ground, nor silver or gold buttons, but only ones of cloth or bone. Nor shall they have hair descending past the bottom of the ear. And whoever is found in such a prohibited dress after eight days from the day of the present warning shall be punished with a fine of two solidi each time.

V. *Concerning solemnly performing anniversary services for the dead.*

Again, we decree and establish that anniversary services that are performed for the dead must be performed solemnly so that the living are induced by example to make offerings for the dead, since [II Maccabees, 12.46] "it is a wholesome thought to pray for the dead." He who conducts the choir must warn those who are absent or who act contrary to this. And if he does not correct or mend himself, by that fact let him be deprived of his share from the anniversary service and lose another share of an equal amount.

VI. *Concerning the Mass for the dead.*

Again, since, as is written, [Ecclesiasticus 8.8; II Samuel 14.14] "We all die," and besides, God should be appeased on behalf of the dying with the offerings of priests or the alms of loved ones, therefore we decree and establish that those who have been accustomed to do it should say Mass for the dead continually at the altar of Saint Martin in said Great Church after the Mass of the Blessed Virgin Mary.

VII. *That those who leave the choir should be checked off.*

Again, because many of those who are assized and others who are beneficed deceive themselves and offer others an example of what should be removed from them,

Missam celebrare et non celebrant, volentes huic morbo salubri remedio providere, volumus quod ille qui punctat defectus in ecclesia punctet omnes exeuntes de choro, et ille qui est in sacristia punctet omnes celebrantes Missam, ita quod si punctatus in choro non reperiatur punctatus in sacristia, poena dupli sicut de aliis defectibus puniatur.

VIII. *Ut in choro cessent profana colloquia.*

Et quod scriptum est, [mg: Psal. 92] “Decet domum Domini sanctitudo,”²³⁶ et [mg: Luc. 19] “Domus mea domus orationis vocabitur,”²³⁷ sicque in ea debet esse quieta conversatio, Deo grata, inspicientibus placida, quae considerantes non so[2426A]lum instruat, sed reficiat. Idcirco volumus et mandamus quod cessent in choro vana et multo fortius foeda et profana colloquia et confabulationes quaelibet, sive inter se clericos sive ipsi clerici cum aliis. Qui autem contra fecerit, secreto accusatori stabi[365]mus, et poena XII denariorum vice qualibet punietur.

IX. *Ut inducantur confitentes in morte relinquere aliquid pro fabrica ecclesiae.*

Quia ecclesiam fraudere sacrilegii instar obtinet, et lucrum unius alii in damnum verti non debet, monemus omnes et singulos confessores deputatos et deputandos per magistrum capellanum, et ip[B]sum magistrum capellanum, quod decedentes inducant ad relinquendum ecclesiae nostrae de bonis suis ad opus ecclesiae, et quod in hoc fraudem non committant in faciendo sibi relinqui seu tacite dari. Ad quam fraudem expellendam et evitandam, volumus et mandamus de omni eo quod tali confessori relictum, seu aliter datum fuerit, medietatem esse debere dictae ecclesiae Nicosiensi,²³⁸ et dictae ecclesiae ad restitutionem teneri, nisi tandumdem dictae ecclesiae fuerit per dictum testatorem relictum. Quod si quis repertus fuerit fraudem committere occultando tacite datum, in duplo ejus quod acceperit puniatur. [C; 765]

X. *Ut pro confessione, baptismo, extrema unctione, nihil petatur.*

Item, statuimus ad hoc ut pauperes non retrahantur a confessione suorum peccatorum ob verecundiam, quia non habent aliquid posse dari, quod sacerdotes deputati ad confessiones audiendas nil ab ipsis poenitentibus et confiteri volentibus in festivitatis anni principalibus percipiant, etiamsi sponte offeratur. Quod si secus factum fuerit, eidem a quo percepit quadruplum tanquam male ablatum restituere teneatur. Idem in baptismo, nisi offeratur in altari²³⁹ a dictis confitentibus et nomine baptizatorum. In extrema unctione nil petatur, sed si sponte offeratur, licite possit percipere. [D]

236. Psalm 92.5. 237. Isaiah 56.7, Matthew 21.13, and Mark 11.17, (cf. Luke 19.46). 238. Nicosiensi] Nicosiensis M 239. altari] altaria CM

leaving the choir as if they wished to perform Mass and not performing it, we want to provide a healthy remedy for this sickness. We want the person who checks off absences in church to check off all those who leave the choir, and we want him who is in the sacristy to check off all those who are performing Mass, so that if someone who is checked off in the choir is not found to be checked off in the sacristy he is to be punished with a fine double that for other cases of non-attendance.

VIII. *That profane conversations in the choir should cease.*

And because it is written, [Psalm 92.5] “Holiness becometh Thy house, O Lord,” and [Isaiah 56.7; cf. Luke 19.46] “My house is the house of prayer,” thus there should be quiet conduct in it, pleasing to God, placid to observers, which should not only instruct those who are watching but also refresh them. Therefore, we want and command that empty and, much more strongly, filthy and profane talk in the choir, and all discussions, whether among the clerics themselves or between clerics and others, shall cease. However, if anyone should go against this, we will take account of complaints made in secret, and he will be punished for each offense with a penalty of twelve denarii.

IX. *That those who confess should be induced to leave something for the fabric of the church at their death.*

Because deceiving the Church is equivalent to sacrilege, and the profit of one must not turn into another’s loss, we want each and every confessor assigned and to be assigned by the master chaplain, and the master chaplain himself, to induce those who are dying to leave something of their goods to our church for the works on the church, and they shall not commit fraud in this by having anything left to themselves or given to them secretly. In order to expel and avoid this fraud, we want and command that half of everything that is left to such a confessor, or otherwise given to him, is to be owed to said Church of Nicosia and is obliged to be repaid to said Church unless the same amount is left to said Church by said testator. And if anyone is found to commit fraud by hiding what was secretly given him, he shall be penalized by twice the amount he accepted.

X. *That nothing should be exacted for Confession, Baptism, [or] Extreme Unction.*

Again, so that the poor are not prevented by shame from confessing to their prelates because they have nothing that can be given, we decree that priests assigned to hearing confessions are to receive nothing from those who are penitent and wish to confess in the principal feasts of the year, even if it is offered voluntarily. And if it happens otherwise, [the priest] shall be held to pay the person from whom he received it four times the amount which was wrongly contributed. The same in Baptism, unless if is offered at the altar by said people who are confessing, in the name of those who have been baptized. Nothing it is be exacted for Extreme Unction, but if it is offered voluntarily, [the priest] can receive it licitly.

XI. *Ut qui venerunt ad exequias stent usque ad finem sepulturae.*

Et quia non videtur venisse nisi qui usque ad finem steterit, idcirco monemus et hortamur quod omnes clerici qui venerint ad obsequias²⁴⁰ alicujus defuncti usquequo corpus traditum fuerit sepulturae stare debeant, et quod ille qui habuerit solvere clericis pro ipsa processione solvere debeat in fine sepulturae. Et non reperto usque ad finem sepulturae nil dare debeat, poena dupli ejus quod solverit sibi imminenti. [E]

XII. *De iis qui fraudant suffragia defunctorum.*

Cum gravius sit illos fraudare qui eorum suffragio indigent, idcirco cum defuncti suffragia vivorum expectent, monemus ac etiam mandamus quod nullus assisius recipere debeat pecuniam pro Missis defunctorum, nisi pro quot crediderit vere se posse Missam celebrare. Contra facientes autem Divinum expectent judicium, et nihilo minus nostro arbitrio puniantur. [366]

XIII. *Ut clerici existentes in choro respondeant Missam celebranti.*

Item, statuimus, volumus, et mandamus ut cle[2427A]rici²⁴¹ omnes in choro existentes sursum corda ad Deum dicantur habere, tam canonici quam clerici alii existentes in choro respondere debeant sacerdoti celebranti Missam dum celebrat, et ei qui cantat²⁴² primo in choro, seu locum cantoris tenet. Contra facientes autem punientur, sicut de aliis defectibus, et poena quatuor denariorum pro vice qualibet puniantur.

XIV. *Ut omnes canonici clericos suos teneant.*

Item, ordinamus et mandamus quod canonici omnes, tam personales quam alii, suos clericos tenere debeant sicut fuit alias constitutum, dummodo tales teneant qui alias in dicta ecclesia non [B] sint beneficiati nec intitulati, seu aliquid certum pensum de ecclesia seu pro ipsa percipiant. Contra facientes autem in tantum de suo beneficio puniantur in quantum clerici quos tenere deberent possent commode sustentari. [766]

XV. *Ut punctator legaliter officium exercent.*

Item, monemus illum qui habet seu habebit in futurum punctare legaliter suum officium exercere, si Dei et nostram indignationem vitare voluerit.

XVI. *De lusoribus ad azardum.* [C]

Item, monemus omnes et singulos clericos, cujuscumque conditionis et status, fugere tabernas, loca inhonesta, et ludum azardi. Contra facientes autem nostro arbitrio puniantur.

240. obsequias] exequias M 241. forte: ut cum clerici H. *add in margin* CM 242. cantat] cautat L

XI. That those who come to a funeral procession should stay until the end of the burial.

And because no one is seen to have come except he who stays until the end, therefore we warn and urge that all clerics who come to the funeral procession of any deceased must stay until the body has been put in the grave, and that the person who has to pay the clerics for the procession must pay at the end of the burial. And he must give nothing to a person who is not to be found at the end of the burial, on pain of twice the amount that he would pay to him if he were there.

XII. Concerning those who defraud the intercession for the dead.

Since it is very serious to defraud those who are in need of intercession, therefore, since the dead expect the intercession of the living, we warn and also command that no one who is assized must receive money for Masses for the dead except that much for which he truly believes he can celebrate the Mass. However, those who go against this shall expect divine judgment, and shall still be punished at our discretion.

XIII. That clerics who are in the choir should respond to the person celebrating Mass.

Again, we decree, want, and command that, since all clerics who are in the choir are said to have their hearts lifted up to God, both canons and other clerics who are in the choir must respond to the priest celebrating Mass while he is celebrating, and to him who sings first in the choir or who holds the post of cantor. However, those who go against this are to be checked off just as with other cases of absence, and punished with a penalty of four denarii for each offense.

XIV. That all canons should maintain their clerics.

Again, we establish and command that all canons, both dignitaries and others, must maintain their clerics, as was otherwise established, provided that they maintain those who are not otherwise beneficed nor assigned [a prebend] in said church, or that they do not receive a fixed pension from or for the church. However, those who go against this should be penalized from their benefice as much as that by which the clerics whom they are supposed to maintain could be suitably sustained.

XV. That the one who checks off should carry out his duty loyally.

Again, we warn the one who has or will in the future have to check off [clerics] to carry out his duty loyally, if he wants to avoid God's and our indignation.

XVI. Concerning those who gamble.

Again, we want each and every cleric of whatever condition and status to flee from taverns, indecent places, and games of chance. However, those who go against shall be punished at our discretion.

XVII. *Ut clerici abstineant a mercimoniis.*

Item, quia Dominus vendentes et ementes de templo ejectis, et [mg: 2 Tim. 2] “nemo militans Deo implicat se negotiis saecularibus,”²⁴³ idcirco monemus omnes et singulos clericos abstinere a mercimoniis et a negotiationibus seu lucris illicitis nisi quae pro vita tantum ipsorum suffecerint. Contra facientes autem poena canonica puniantur.

XVIII. *Ut servientes ecclesiae adsint hora*²⁴⁴ [D] *congrua.*

Item, ordinamus quod tam sacerdotes, quam diaconi, et subdiaconi, et alii clerici qui per hebdomadas servire debent, interesse debeant ad celebrandum et serviendum in sua hebdomada in hora congrua. Quod si repertus non fuerit, alius pro eo servire debeat in ordine absentis, et habeat²⁴⁵ et habere debeat a tali absente VI denarios, nisi justa causa fuerit impeditus, quam ante horam Missae decano debeat notificare.

XIX. *Ut sacerdos in serviendo diaconis praeponatur.* [E]

[a] Item, quod quoties Missa celebratur in ecclesia, et aliqui defecerint qui deberent sacerdoti in altari diaconi seu subdiaconi loco servire, ita quod aliquis sacerdos haberet tunc sub[367]stitui,²⁴⁶ quod non celebret sacerdos in officio subdiaconatus, nisi fuerit sacerdos qui deberet servire loco diaconi, aliter sacerdos semper in serviendo diaconibus praeponatur. Qui contra fecerit, renuendo celebrare post sacerdotem puniatur in VI denariis, nisi aliquis ex subdiaconibus seu aliis diaconibus fuerit in ecclesia supradicta.

[b] Lectae et publicatae et pronuntiatae fuerunt praedictae constitutiones in majori ecclesia Nicosiensi, [2428A] praesentibus, audientibus, et intelligentibus canonicis, assisiis, et clericis ecclesiae praedictae, ad praedictas constitutiones audiendas de mandato supradicti domini archiepiscopi vocatis, et in ipsa ecclesia specialiter congregatis. Quas quidem constitutiones dictus dominus archiepiscopus mandavit inviolabiliter observari, et exinde confici praesens publicum instrumentum, in praesentia venerabilis viri domini Guillelmi de Antio, canonici plebis sanctae Mariae civitatis ejusdem, dicti domini archiepiscopi officialis,²⁴⁷ religiosorum virorum fratrum Benedicti de Burgo sancti sepulchri et Iacobi de Urbeveteri, ordinis fratrum Praedicatorum, sociorum domini archiepiscopi su[767]pradicti, ac sapientium²⁴⁸ virorum dominorum [B] Iacobi de Ancona juris utriusque periti, et Michaëlis de Antio, medicinae artis professoris, testium et sociorum assistantium domino archiepiscopo supradicto. Anno Domini a Nativitate ejusdem MCCCXX, Indictione²⁴⁹ III, tempore domini Ioannis papae XXII, die septima mensis Aprilis.

[c] Et ego Theodinellus magistri Bernardi de Aquasparta, imperiali autoritate iudex ordinarius atque notarius. et praedicti reverendi in Christo patris et domini, domini fratris Ioannis, archiepiscopi Nicosiensis, familiaris, et scribe publicus, praedictas constitutiones de mandato dicti domini archiepiscopi legi et publicavi, et in hanc publicam formam redigens, meo solito signo signavi. [C]

243. II Timothy 2.4. 244. hora] horae C 245. habeat] habet M 246. substitui] substituti CM
247. officialis] officiali M 248. sapientium] sapientum CL (Mansi corrects) 249. Indictione] Inction L

XVII. *That clerics should abstain from commercial dealings.*

Again, because the Lord expelled buyers and sellers from the Temple, and [II Tim. 2.4] "No man, being a soldier to God, entangleth himself with secular businesses," therefore we warn each and every cleric to abstain from commercial dealings and from illicit business or profits, except those that are just sufficient for their livelihood. However, those who go against this shall be punished with the canonical penalty.

XVIII. *That those who serve in the church should be present at the proper time.*

Again, we establish that both priests and deacons and subdeacons and other clerics who are supposed to serve week duties must be present for celebrating and serving during their week at the proper time. And if he is not found there, someone else must serve for him in the order of the one who is absent, and he shall have and must have six denarii from the one who is absent, unless he is impeded for a just cause about which he must notify the dean before the hour of the Mass.

XIX. *That a priest should be put before deacons in serving.*

[a] Again, whenever Mass is celebrated in the church and someone who was supposed to serve the priest at the altar in place of a deacon or subdeacon is missing, such that a priest then has to be put in his place, then this priest should not celebrate in the office as subdeacon unless he who was supposed to serve as a deacon is also a priest. Otherwise the priest shall always be put before deacons in serving. He who goes against this by refusing to celebrate after the priest shall be punished by six denarii, unless one of the subdeacons or other deacons is in the abovesaid church.

[b] The aforesaid regulations were read, published, and pronounced in the Great Church of Nicosia, when the canons, those who are assized, and the clerics of the aforesaid church, who had been summoned to hear the aforesaid regulations on the orders of the abovesaid lord archbishop and who had gathered especially for this purpose in that church, were present, listening, and understanding. Indeed, said lord archbishop commanded that these regulations be observed inviolably, and that afterwards the present public document be drawn up in the presence of the venerable man, Lord William of Antio, a canon of the parish of St Mary of the same city, [who is] the official of said lord archbishop; of the religious men Brother Benedict of Borgo di Santo Sepolcro and James of Orvieto of the Order of Friars Preacher, the associates of the abovesaid lord archbishop; and the wise men Lords James of Ancona, expert in both laws, and Michael of Antio, professor of the art of medicine, witnesses and associates assisting the abovesaid lord archbishop, in the year of the Lord from His Nativity 1320, Indiction three, in the time of Lord Pope John XXII, on the seventh day of the month of April.

[c] And I, Theodinellus of Master Bernard of Aquasparta, by imperial authority judge ordinary and notary, familiar of the aforesaid reverend father in Christ and lord, Lord Brother John, archbishop of Nicosia, and public scribe, on the orders of said lord archbishop, read, published, and, rendering them into this public form, signed with my customary sign the aforesaid regulations.

[Text J]

IOANNIS ARCHIEPISCOPI NICOSIENSIS

Constitutiones editae anno MCCCXXI et consequentibus.

I. De ingressu in monasteria monialium.

Nos, frater Ioannes, permissione Divina archiepiscopus Nicosiensis, monemus et hortamur in Domino omnes et singulas personas, tam clericos quam laicos, cujuscumque conditionis existant, ne infra claustra seu septa monasteriorum monialium de Nicosia intrare debeant sine nostra licentia speciali, exceptis dominabus reginis et earum comi[D]itiva, ac etiam sororibus domini Regis, quibus propter specialem praerogativam eis deferimus in hac parte, et exceptis confessoribus ipsarum per nos deputatis, quibus intrare liceat tempore necessitatis. Alias tam intrantes quam etiam introducentes eosdem poenam excommunicationis incurrere volumus ipso facto. Datum Nicosiae in nostra majori ecclesia Nicosiensi, die XVII Iunii, Indictione IV, anno MCCCXXI. [368]

II. De non celebranda Missa nuptiali sine licentia.

Item, statuimus et ordinamus quod nullus sacerdos debeat vel praesumat Missam nuptialem cele[E]brare sine nostra licentia speciali, aut magistri capellani ecclesiae Nicosiensis, cui constiterit ipsum matrimonium, ut est moris, esse legitime proclamatum. Qui vero contra fecerit, nostro arbitrio puniatur.

III. Ut assisius qui celebrat pro mortuis non se obliget ad aliud officium.

Item, inhibemus quod nullus ex assisiis nostrae ecclesiae supradictae, qui Missam assidue debet pro mortuis celebrare, ad aliquod servitium seu officium celebrandum se obliget nec faciat quoquo modo. Qui autem contra fecerit, acriter nostro arbitrio puniatur. [2429A]

IV. Ut altari serviat qui vivit de altari.

Cum ad hoc sint ecclesiastica beneficia deputata ut idonee in Divinis officiis ecclesiae serviatur, et ad ipsum ministerium talis quaeri persona debeat quae per se ipsam illud valeat exercere, quare unusquisque in ea vocatione manere debet in qua extitit evocatus, ac jure de[768]bet altari servire qui de altario victum quaerit.

V. Ut assisius per seipsum serviat in Divinis.

[a] Sane nobis fratri Ioanni archiepiscopo Nicosiensi innotuit quod nostra

[Text J]

ARCHBISHOP JOHN OF NICOSIA'S

Regulations Proclaimed in the Year 1321 and the Following Ones.

I. Concerning entering monasteries of nuns.

We, Brother John, by divine permission archbishop of Nicosia, warn and urge in the Lord each and every person, both clerics and lay people, of whatever status they are, that they must not enter the cloisters or enclosures of the monasteries of nuns of Nicosia without our special permission, except the ladies the queens and their escort, and also the sisters of the lord king, to whom we defer in the matter because of their special prerogative, and except the nuns' confessors whom we have assigned, to whom it is allowed to enter in time of necessity. Otherwise we want both those who enter and even those who let them in to incur automatically the punishment of excommunication. Given in Nicosia in our Great Church of Nicosia, on the seventeenth day of June, Indiction four, in the year 1321.

II. Concerning not celebrating the nuptial Mass without permission.

Again, we decree and establish that no priest must or shall presume to celebrate the nuptial Mass without our special permission, or that of the master chaplain of the Church of Nicosia, to whom the marriage, as is the custom, has been legitimately announced. But he who goes against this shall be punished at our discretion.

III. That the assized who celebrates for the dead should not obligate himself toward another office.

Again, we forbid any of those who are assized in our abovesaid church, who is supposed to celebrate the Mass for the dead assiduously, from obligating himself toward performing another service or duty, or from doing it in any way. However, he who goes against this shall be punished quite severely at our discretion.

IV. That he who lives from the altar should serve the altar.

Since ecclesiastical benefices are assigned so that the Church is served in a fitting manner in the divine offices, and such a person must be sought for this ministry who is able to carry out this by himself, wherefore everyone must stay in the vocation to which he was called, and by law he who seeks his living from the altar must serve the altar.

V. That the assized must himself serve in the divine offices.

[a] It has become known to us, Brother John, archbishop of Nicosia, that our

Nicosiensis ecclesia quibus[B]dam ex servitoribus et assisiis ejus absentibus, et quibusdam praesentibus, diversis negotiis se implicantibus, aliis per eos minus dignis substitutis, circa Divinum cultum plurimum destituitur, et quod ipsorum officium²⁵⁰ ac nomen requirunt, scilicet continuam assistentiam vix saltem per mensem adimplent. Nos, volentes statui nostrae ecclesiae providere circa ecclesiasticum ministerium quod semper disposuimus augmentare, et ipsorum assisiorum saluti consulere, statuimus et ordinamus hac constitutione inviolabiliter valitura quod omnes et singuli assisii nostrae ecclesiae, in eo ordine cu[C]jus beneficium obtinent seu praebendam, serviant in Divinis per seipsos, et non per alium substitutum, non obstante si alium titulum sub expectatione habeant in ecclesia memorata, nisi infirmitate aut justae absentiae causa, a nobis etiam obtenta licentia, valeat excusari. Contra facientes autem volumus poenis canonicis subiacere.

[b] In nomine Domini, amen. Anno Domini a Nativitate ejusdem MCCCXXIII, Indictione VI, tempore domini Ioannis papae XXII, die ultima Augusti, praedicta proxima constitutio edita contra²⁵¹ assisios ecclesiae Nicosiensis ad eorum doctrinam publicata fuit et lecta in auditorio ubi jus redditur apud archiepiscopatum juxta capellam, praesentibus om[D]nibus assisiis ecclesiae praelibatae, et dominis Baliano Guezi et Roberto Turcheti, canonicis ecclesiae antedictae, praesentibus etiam Andrea Gallioti, Ioanne²⁵² Gualterij, Fectono Tabarani, magistro Petro Anselmi, et Constantio baculario, cum pluribus aliis testibus vocatis ad praedicta. [369]

VI. *Contra falsos testes.*

[a] [mg: I Pet. 4] “Quia tempus est ut iudicium a domo Dei incipiat,”²⁵³ testante scriptura ut quos Dei timor a malo non revocat, saltem ecclesiasticae cohibeat severitas disciplinae, licet nos, frater Ioannes, archiepiscopus Nicosiensis, tempore quo fuimus in Cypro relatione quamplurimum audiverimus morbum pestiferum [E] falsorum testium pullulasse, et etiam adhuc vigere, considerantes aliqua a nostris praedecessoribus contra praedicta fuisse statuta, non de facili credere poteramus aliquos tam insanos quam etiam hebetes mente, qui se tanto crimine irretirent ut Deum contemnerent, iudicem fallerent, ac offenderent innocentem, quae omnia perpetrant cum falsum testimonium proferunt ac proferri procurant. Sed quia nos ipsi experimento didicimus multos praedicta postponere in delusum, in animarum suarum periculum et damnum non minimum aliorum, cogimus ferro abscindere vulnera putrefacta.

[b] Idcirco nos, frater Ioannes praedictus, monemus et hormamur in Domino, pro prima, secunda, et tertia monitione, omnes et singulos, tam clericos quam

250. forte: et quod qui ipsorum H. *add in margin* CM 251. edita contra] contra edita M 252. Ioanne] Ioanni CM 253. I Peter 4.17.

Nicosia Church has been left largely destitute with respect to the divine worship because some of its attendants and some who are assized are absent and some are present who are involving themselves in a variety of affairs, less worthy people having been substituted by them, and that what their office and name require, namely continuous attendance, they scarcely fulfill even for a month. We want to look out for the state of our church in connection with the ecclesiastical ministry – which we have always been disposed to increase – and to be mindful of the salvation of the assized themselves. By this regulation, which will be valid inviolably, we decree and establish that each and every assized of our church shall himself serve in the divine [offices] in the order in which he obtained his benefice or prebend, and not through another who is substituted, not withstanding if he is expecting another title in said church, unless he is able to be excused by illness or by reason of a just absence, after he has obtained permission from us. However, we want those who go against this to be subject to the canonical punishments.

[b] In the name of the Lord, amen. In the year of the Lord from His Nativity 1323, Indiction six, in the time of the Lord Pope John XXII, on the last day of August, this last regulation pertaining to the assized of the Church of Nicosia was published and read for their instruction in the auditorium where cases brought before the archbishopric are heard, near the chapel, when all of the assized of the aforementioned church and Lords Balian Guecius and Robert Turcheti, canons of the aforesaid church, were present, and also when Andrew Gallioti, John Walter, Fectono Tabarani, Master Peter Anselm, and Constantine the bachelor, were present, along with many other witnesses summoned for the aforesaid.

VI. *Against false witnesses.*

[a] [I Peter 4.17] “For the time is that judgment should begin at the house of God,” as Scripture attests, so that the severity of ecclesiastical discipline at least restrains those whom the fear of God does not call back from evil. We, Brother John, archbishop of Nicosia, in the time we have been in Cyprus, have learned from reports by very many persons that the deadly disease of false witnesses had sprouted and even thrives still. Considering certain things that had been decreed by our predecessors against the aforesaid, we could not easily believe that any people, both insane and also dull witted, would entangle themselves in such a crime that they hold God in contempt, make justice fail, and offend the innocent, all of which they commit when they give false testimony and attend to having it given. But because we ourselves have learned by experience that many people disregard the aforesaid [decrees] to their own delusion, the danger of their souls, and no small damage to others, we are forced to cut off the putrefied wounds with the axe.

[b] Therefore we, the aforesaid Brother John, warn and urge in the Lord, for the first, second, and third warning, each and every person, both clerics and lay

[2430A] laicos, masculos et feminas, cujuscumque conditionis et status existant, et nihilo minus sub poena excommunicationis mandantes qui in nostra curia tulerunt testimonium falsum, seu ferri tractaverunt, seu pro[769]curaverunt, unde sententia fuerit subsequuta quod ipsi, quantum in ipsis est, revocent dictum suum ut ex sententia tam damnabili perniciose executio sequi non possit, seu nobis secreto manifestent. Multo magis, si adhuc sententia lata non fuerit, dictum suum revocent, vel nobis pandant, et hoc infra IX dies, quorum tres pro primo, tres pro secundo, et tres pro tertio termino peremptorio assignamus. Contemptores autem huiusmodi nostrae monitionis, ex nunc prout ex tunc, in his scriptis excom[B]municationis vinculo innodamus, mandantes omnes et singulos praedicta committentes, seu aliquid de praemissis, ipso²⁵⁴ excommunicationis vinculo innodari, quorum absolutionem nobis solummodo reservamus, non intendentes per commissionem aliquorum casuum per nos factam praedictos includi nisi specialiter in commissione denominaremus eosdem.

VII. *Ut religiosi non habeant advocatos et procuratores perpetuos, nec dent²⁵⁵ eis perpetuas assisias.* [C]

Item, statuimus et ordinamus quod nullum monasterium, prior, abbas, vel conventus, vel quicumque alius administrationem habens, ipsius civitatis seu dioecesis Nicosiensis, possit advocatum, procuratorem, seu patronum, vel defensorem, clericum vel laicum, ad eorum servitium perpetuo deputare pro patrocinio, procuracione, et defensione eis imposterum praestandis, nec eorum alteri possint perpetuam assisiam seu pensionem annualem constituere in futurum. Sed liceat eis advocatum, procuratorem, seu defensorem quaerere in causis de novo emergentibus, quibus convenienter possint, considerato labore, providere de eorum salario et mercede, revocantes, cassantes, et annullantes omni modo, jure, et forma quibus melius possumus, [D] omnes perpetuas assisias seu pensiones hactenus per quoscumque abba[370]tes, conventus, priores, seu quoscumque alios administratores monasteriorum ipsorum, quibuscumque advocatis, procuratoribus et defensoribus concessas, ordinatas, et factas, mandantes ex nunc tenore praesentium abbatibus, prioribus, conventibus, et quibuscumque aliis administrationem ipsorum monasteriorum habentibus, quod hinc ad²⁵⁶ XV dies ex nunc in antea computandos, dictas assisias seu pensiones perpetuas studeant effectualiter ad jus ipsorum monasteriorum revocare. Nec dent nec dare debeant easdem, sub poena excommunicationis et sub poena L bysantiorum de Cypro, et alia poena nostro arbitrio infligenda. [E]

VIII. *Ut religiosi et clerici non contrahant ultra certam summam.*

[a] Item, statuimus et ordinamus quod nullum monasterium, abbas, prior, vel conventus, vel quicumque alius clericus, Latinus vel Graecus, civitatis vel

254. ipso] ipsos M 255. dent] dantes CM 256. ad omit CM

people, males and females, no matter what condition or status they are, ordering them moreover on pain of excommunication, that those who have borne false witness in our court or made negotiations for it to be given, or have procured it – and it has been followed by a sentence of the court – shall retract their statement, as far as they can, or reveal it to us in secret, so that the destructive execution from such a damnable sentence [of the court] cannot ensue. If the sentence has not been given yet, then much more so they should retract their statement, or disclose it to us. And [they should do] this within nine days, for which we assign three for the first, three for the second, and three for the third, incontrovertible, deadline. However, from now, as then, in these writings we bind with the chain of excommunication those who hold our warning in contempt, commanding that each and everyone who commits the aforesaid, or any of the aforesaid, be bound by the same chain of excommunication. And we reserve their absolution for us alone. We do not intend to include the aforesaid people in the delegation we have made of certain cases [to others], unless we named them specifically in the delegation.

VII. That religious should not have permanent advocates and procurators, nor give them permanent assises.

Again, we decree and establish that no monastery, prior, abbot, or convent, or anyone else in charge of administration [of monasteries] in the city or diocese of Nicosia, can assign an advocate, procurator, or patron or defender, cleric or lay, for their service to be permanently in charge of their legal representation, procuration, and defense in the future. Nor can they set up a permanent assise or annual pension for any of them in the future. But they are to be allowed to seek an advocate, procurator, or defender in cases that emerge anew, in which they can fittingly provide their salary and wages, having considered the labor. We revoke, invalidate, and annul, in every way, law, and form that we are best able, all permanent assises or pensions that have been conceded, established, and made until now by any abbots, convents, priors, or any other administrators of these monasteries to any advocates, procurators, and defenders. By the tenor of the present [letter] we command that from now on the abbots, priors, convents, and all others in charge of the administration of these monasteries, within fifteen days counting from now, shall take steps to revoke effectively said permanent assises or pensions for the right of these monasteries. Nor shall they give nor must they give them on pain of excommunication and on penalty of fifty bezants of Cyprus and another punishment to be inflicted at our discretion.

VIII. That religious and clerics should not transact business beyond a fixed sum.

[a] Again, we decree and establish that no monastery, abbot, prior, or convent, or any other cleric, Latin or Greek, of the city or diocese of Nicosia, in his own

dioecesis Nicosiensis, suo nomine proprio, seu nomine suae ecclesiae, mutuum²⁵⁷ contrahere emptionem seu venditionem, afflictationem seu quemcumque alium contractum excedentem summam C Byzantium alborum de Cypro, et alius quivis clericus cujuscumque alterius ecclesiae ultra quantitatem XXV byzantium, sine nostra seu superioris sui speciali licentia et mandato, debeat. Et si contraxerit, ipsa [2431A] obligatio seu contractus [770] ecclesiam seu monasterium non valeat obligare, ita quod ipsa ecclesia seu monasterium ad dictum debitum reddendum nullatenus obligetur, nec etiam compellatur. Et quicumque contra fecerit, punietur poena nostro arbitrio inferenda.

[b]Praedictae constitutiones lectae et promulgatae fuerunt per dominum archiepiscopum supradictum in sacristia seu thesauro suae ecclesiae Nicosiensis, praesentibus venerabilibus viris, dominis Nicolao de Camilio, Henrico de Biblio archidiacono, Philippo Alamanno, Elia Anselmi, Laurentio de Berico, et Baliano Guezi, canonicis, et capitulo ecclesiae supradictae, cum plures canonici in capitulo tunc non [B] essent, expresse consentientibus in praedictis. Anno Domini a nativitate ejusdem MCCCXXIV, Indictione septima, tempore domini Ioannis papae XXII, die XXII mensis Ianuarii.

IX.²⁵⁸ *Ut ecclesiae Nicosiensis jura et honores a nemine usurpentur,
et usurpata restituantur.*

Nos, frater Ioannes, permissione Divina archiepiscopus Nicosiensis, monemus pro prima, secunda, et tertia monitione, de consilio et consensu capituli et canonicorum nostrae ecclesiae Nicosiensis, omnes et [C] singulos tam²⁵⁹ mares quam feminas, cujuscumque status, ordinis, et conditionis existant, et nihilo minus eis et cuilibet eorum sub poena excommunicationis districte praecipiendo, mandamus quatenus jura, honores, et bona ecclesiae Nicosiensis praedictae deinceps non usurpent, nec usurpare audeant scienter, immo jura, honores, et bona jam dictae ecclesiae dudum usurpata, occupata, seu subtracta, taliter usurpantes, occupantes, seu etiam subtrahentes infra sex dies a die datarum praesentium computandos, quorum duos pro primo, duos pro secundo, et duos pro ter[371]tio et peremptorio termino eis et cuilibet eorum tenore praesentium assignamus, [D] ipsa jura, honores, et bona restituant ipsi ecclesiae, et restituere teneantur cum effectu. Alioquin, in usurpantes imposterum scienter jura, honores, et bona praedicta, et jam usurpata, occupata, seu subtracta,²⁶⁰ infra dictum terminum non restituentes, seu emendantes, sententiam excommunicationis contra ipsos et ipsorum singulos, de consilio et consensu canonicorum et capituli ecclesiae supradictae, proferimus in his scriptis, quam ipsos et ipsorum singulos incurrere volumus ipso facto. Ad denunciationem et aggravationem ipsius sententiae nihilo minus procedemus, ipsorum inobedientia exigente. Datum Nicosiae, die penultima mensis Martii, Indictione octava, anno Domini MCCCXXV, tempore [E] Domini Ioannis papae XXII.

257. mutuum] mutum C 258. IX] IV M 259. singulos tam] singulostam L 260. subtracta] subtracta L

name or in the name of his church, must transact a loan, purchase or sale, lease or any other contract exceeding the sum of 100 white bezants of Cyprus, and no other cleric of any other church beyond the amount of 25 bezants, without our special permission and mandate or that of his superior. And if he should so transact, that obligation or contract shall not be able to obligate the church or monastery, so that the church or monastery shall be in no way obligated to repaying said debt, nor shall it be compelled to do so either. And whoever goes against this will be punished with a penalty to be imposed at our discretion.

[b] The aforesaid regulations were read and promulgated by the abovesaid lord archbishop in the sacristy or treasury of the Church of Nicosia, when the venerable men Lords Nicholas of Camilio, the archdeacon Henry of Giblest, Philip the German, Elias Anselm, Lawrence of Beirut, and Balian Guecius, canons, and the chapter of the abovesaid church – since there were no more canons in the chapter at the time – were present, expressly consenting to the aforesaid things, in the year of the Lord from His Nativity 1324, seventh Indiction, in the time of the Lord Pope John XXII, on the twenty-second day of the month of January.

IX. That no one should usurp the rights and honors of the Church of Nicosia, and the things that have been usurped should be restored.

We, Brother John, by divine permission archbishop of Nicosia, with the advice and consent of the chapter and canons of our Nicosia Church, for the first, second, and third warning, warn each and everyone, both male and female, no matter what their status, order, and condition are, and also command each and every one of them on pain of excommunication, strictly ordering that they are not to usurp in the future nor dare to knowingly usurp the rights, honors, and goods of the aforesaid Church of Nicosia. Rather those who have for a long time now usurped, seized, or even removed the rights, honors, and goods of said church in this way shall restore and are obliged to restore effectively to that church these usurped, seized or removed rights, honors, and goods within six days counting from the day that the present [letter] was given, of which we assign to them and each of them, by the tenor of the present [letter], two days for the first, two for the second, and two for the third and incontrovertible deadline. Otherwise, with the advice and consent of the canons and chapter of the abovesaid church, we are bringing a sentence of excommunication in this writing against each and every one of those who in the future knowingly usurps the aforesaid rights, honors, and goods, and who does not restore or make amends for those that have already been usurped, seized, or removed. And we want each and every one of those to incur this sentence automatically. Moreover, we are proceeding to the announcement and increase in severity of this sentence because their disobedience demands it. Given in Nicosia on the penultimate day of the month of March, eighth Indiction, in the year of the Lord 1325, in the time of the Lord Pope John XXII.

X. *De eligentibus sepulturam extra suam ecclesiam.*

Si de parochianis nostris aliquis apud aliam ecclesiam elegerit sepulturam, morte nunciata ipsius, duae tantum campanae pulsantur, *etc. ut supra, capitulo ultimo concilii Nicosiensis* [read: Nimociensis] *anno MCCLXXXVIII* [read: MCCXCVIII] <<et non plures, quia processio non vadit, sed sacerdos cum clerico, cruce, thuribulo, et aqua benedicta ad deferendum funus ad ecclesiam, ibique officio mortuorum expleto, modo debito et honesto sacerdos societ corpus cum clerico, ut superius expressum est, ad locum in quo sepeliri elegit. Nullusque canonicus, seu assisius, vel clericus de choro pro sociando corpore, seu pro faciendo honore amicis, egrediatur ecclesiam vel dimittat, quia pro certo didicimus quod aliquando contentio orta est inter clericos et aliquos religiosos qui quandoque tollunt corpora in quibus jus non habent, et praeter haec ecclesiis nolunt restituere canonicam portionem.>>²⁶¹ [771]

261. *Synodicum Nicosiense* G.XVII.a.

X. *Concerning those who choose burial outside their church.*

“If any of your parishioners chooses to be buried at another church, when his death has been announced only two bells should be rung” *etc., as above, last chapter of the council of Nicosia [read: Limassol] in the year 1288 [read: 1298]* [[“because a procession is not going, but rather just a priest with a cleric, cross, incenser, and blessed water, for carrying the corpse to the church. And when the office of the dead has been completed there, the priest along with the cleric should accompany the body in a fit and proper way, as was expressed above, to the place in which he chose to be buried. And no canon, or assized, or cleric from the choir should exit the church or leave in order to accompany the body or to honor his friends, because we have learned for certain that sometimes a struggle has arisen among the clerics and some religious who on occasion take away bodies when they have no right, and besides this they do not want to return the canonical portion to the churches.”]]

[Text K]

HELIAE ARCHIEPISCOPI NICOSIENSIS
CONSTITUTIO

Qua praedecessorum constitutiones innovat.

Cum laudandae diffinitionis intentio pastoris sit semper studiis adjuvanda, cura est solitudinis [2432A] adhibenda ut ea quae pro cultu Divino quieta²⁶² ecclesiasticae conversationis sunt disposita et ordinata, nec dissimulatio negligere nec quaedam valeat praesumptio perturbare. Quia nos, frater Helias, Dei et apostolicae sedis gratia Nicosiensis archiepiscopus, multas scimus constitutiones et leges tam a legatis sedis apostolicae quam a nostris praedecessoribus emanasse, ad decus cultus Divini et honestatem ordinis clericalis, quas nostram ecclesiam visitantes invenimus ut plurimum datas in neglectum et sic potius membranas occupasse quam in aliquo fructum salutiferum attulisse, idcirco omnes constitutiones legatorum sedis apostolicae editas ad cultum Divini nominis et honestatem ordinis clericalis tanquam [B] validas firmas praesentialiter denunciamus, ac constitutiones praedecessorum nostrorum, in quantum non sint primae posterioribus contrariae vel adversae, approbamus, et ratificamus, ac etiam innovamus, mandantes ipsas pro diffinitione nostrae visitationis debere inviolabiliter observari.

262. quieta] quiete L

[Text K]

REGULATION OF ELIAS,
ARCHBISHOP OF NICOSIA

Which Renews the Constitutions of His Predecessors.

Since the intention of a praiseworthy resolution is always to be aided by pastoral efforts, one should employ painstaking care so that neither carelessness is able to neglect nor rash action to confuse those things that have been arranged and established for the divine worship [in matters of] ecclesiastical conduct. We, brother Elias, by the grace of God and the Apostolic See archbishop of Nicosia, know of many laws and regulations that have been promulgated both by legates of the Apostolic See and by our predecessors for the dignity of the divine worship and the decency of the clerical order, [laws and regulations] which in visiting our church we found much given to neglect and thus more filler for parchment than devoted to a healthy purpose in any manner. Therefore, we declare all regulations of the legates of the Apostolic See, written for the cult of the divine name and for the decency of the clerical order to be presently valid and firm, and we approve, ratify, and also renew the regulations of our predecessors insofar as they are not contrary or adverse to the former ones, ordering that they be observed without violation as a resolution for our visitation.

[Text L]

CONCILIIUM NICOSIENSE
ab Helia archiepiscopo cum suffraganeis celebratum.

Anno Domini MCCCXL. [C]

PRAEFATIO

In nomine Domini Iesu Christi, amen.

[1] Congregato et convocato provinciali concilio regni Cypri in aula archiepiscopatus Nicosiensis per reverendum in Christo patrem [372] et dominum, dominum fratrem Heliam, Dei et apostolicae sedis gratia archiepiscopum Nicosiensem, metropolitanum regni praedicti, una cum suffraganeis suis, reverendis in Christo patribus, dominis Odone Paphensi, Lambertino Nimociensi, et fratre Marco Famagustano et Anteradensi episcopis, et praesentibus [D] et eidem concilio interessentibus venerabilibus in Christo patribus, dominis fratre Leondio de Solia Nicosiensis, fratre Matthaeo de Larsino Paphensis, fratre Clemente de Lescara Nimociensis, et fratre Michaële de Carpasio Famagustanae dioecesis, Graecorum episcopis; et fratre Georgio Maronitarum et fratre Gregorio Armenorum praesulibus et episcopis; et aliarum nationum, videlicet Nestorinorum et Iacobitarum, rectoribus; et aliorum clericorum Latinorum et Graecorum et dictarum nationum multitudine copiosa; praefatus dominus archiepiscopus, praemissis Romano more orationibus consuetis, Spiritus²⁶³ sancti gratia primitus invocata, proposito verbo Dei, clare, distincte, et ex[E]plicitate declaravit, aperuit, et exposuit fidem catholicam quam de articulis et ecclesiasticis sacramentis ac alijs quae possent forte ex ignorantia in errorem aliquos declinare, sacrosancta Romana ecclesia tenet, [772] docet, et praedicat, dictis nationum praelatis eorumque subditis audientibus et intelligentibus liquido, singulariter, et distincte per infra scriptos fideles viros interpretes autoritatis et linguarum quarum erant interpretes plenam et veram habentes notitiam, quidquid per eundem dominum archiepiscopum verbo extitit declaratum, et scripto de unanimi consilio Latinorum pontificum publice ibi lecto, ad nationis cujuslibet intellectum, mediantibus interpretibus infrascriptis. Cujus scripti series de verbo ad verbum, nil addito vel minuto, tenor talis est: [2433A]

263. Spiritus] Spitus L

[Text L]

COUNCIL OF NICOSIA
Held by Archbishop Elias with his Suffragans

In the Year of the Lord 1340.

PREFACE

In the name of the Lord Jesus Christ, amen.

[1] The provincial council of the Kingdom of Cyprus was summoned and assembled in the hall of the archbishopric in Nicosia by the reverend father and lord in Christ, Lord Brother Elias, by the grace of God and the Apostolic See archbishop of Nicosia, the metropolitan of the aforesaid kingdom, along with his suffragans, the reverend fathers in Christ, Lord Bishops Odo of Paphos, Lambertino of Limassol, and Brother Mark of Famagusta and Tortosa. Present at and participating in the same council were the following venerable fathers in Christ: the lord bishops of the dioceses of the Greeks, brother Leondios of Solea of the Nicosia diocese, brother Matthew of Arsinoe of the Paphos diocese, brother Clement of Lefkara of the Limassol diocese, and brother Michael of Karpasia of the Famagusta diocese; the leaders and bishops brother George of the Maronites and brother Gregory of the Armenians; the rectors of other nations, namely the Nestorians and Jacobites; and a great multitude of other clerics Latin and Greek and of the aforesaid nations. The aforementioned archbishop, after the customary speeches in the Roman manner and having first called upon the favor of the Holy Spirit, put forward the word of God, and clearly, distinctly, and explicitly declared, laid bare, and exposed the Catholic faith which the Holy Roman Church holds, teaches, and preaches concerning the articles [of faith] and ecclesiastical sacraments and other matters that could perhaps deflect certain people into error out of ignorance. [He did this] to the aforesaid prelates of the nations and to their subjects, who via the men of faith whose names are written below, interpreters of authority who have full and true knowledge of the languages of which they are interpreters, heard and understood clearly, singularly, and distinctly whatever was declared by the aforesaid lord archbishop in word and whatever was publicly read there from a document with the unanimous consent of the Latin pontiffs, while the below-written interpreters mediated for the understanding of every nation. The text of which document, word for word, nothing added or deleted, is thus:

CONFESSIO FIDEI

[2] Quoniam in regno Cypri in singulis civitatibus et dioecesibus “permixti sunt populi diversarum linguarum, habentes sub una fide,” sicut experimento didicimus, “varios ritus et mores,”²⁶⁴ qui a suis episcopis et praesulibus juxta diversitates rituum et linguarum, verbo instituendi sunt pariter et exemplo, ut in salubri doctrina praefati praesules, expulsa omni errorum caligine, possint in lumine verae lucis, quae catholicos professores illuminat, ambulare, et suos subditos seu populos commissos eisdem clarius informare, decrevimus fidei professionem explicite declarare quam sacrosancta Romana ecclesia firmiter tenet, docet, et praedicat, ut ipso verae lucis lumine mediante, queant veritatis semitam imitari et [B] varios errores expellere.

[3] Quicumque autem cupit salvus fieri et catholicus reputari firmiter credere debet et simpliciter confiteri quod “unus solus verus est Deus, aeternus, immensus, et incommutabilis, incomprehensibilis, omnipotens, ineffabilis, Pater, et Filius, et Spiritus sanctus; tres quidem personae, sed una essentia, substantia, seu natura simplex omnino; Pater a nullo, Filius a Patre solo, et Spiritus sanctus ab utroque,”²⁶⁵ “non tanquam ex duobus principiis, sed tanquam ex uno principio, non duabus spirationibus, sed unica spiratione procedens. Hoc professa est hactenus, praedi[373]cavit, et docuit, hoc firmiter tenet et praedicat sacrosancta Romana ecclesia, mater omnium fide[C]lium et²⁶⁶ magistra. Hoc habet orthodoxorum patrum atque doctorum, Latinorum pariter et Graecorum, incommutabilis et vera sententia.”²⁶⁷

[4] Tenet insuper, docet, et praedicat eadem sancta mater ecclesia “sanctam Trinitatem, Patrem, et Filium, et Spiritum sanctum,” “totamque in Trinitate deitatem coëssentialem et consubstantialem, coaeternam, coomnipotentem, unius potestatis, voluntatis, et majestatis, creatorem omnium creaturarum, a quo omnia, per quem omnia, et in quo omnia quae sunt sub caelo et in terra, visibilia et invisibilia, corporalia et spiritualia,”²⁶⁸ “singulam quamque in sancta Trinitate personam, unum verum Deum et perfectum”²⁶⁹ existere.

[5] [read: Tenet...] ipsumque Dei unigenitum “Verbum Dei, aeternaliter na[D]tum de Patre, consubstantialem, coomnipotentem, et coaequalem per omnia Patri in Divinitate,”²⁷⁰ “a²⁷¹ tota Trinitate communiter incarnatum, ex Maria semper virgine Spiritus sancti cooperatione conceptum,”²⁷² “cum anima rationali, duas habentem nativitates, unam ex Patre aeternam, alteram temporalem ex matre, Deum verum et ho[773]minem verum, proprium in utraque natura atque perfectum, non adoptivum neque

264. Lateran IV, canon 9. 265. Lat. IV, canon 1 (*Enchiridion Symbolorum [ES]*, #428). 266. et] ac M 267. Lyons II, constitution 2.1 (*ES*, #460). 268. Profession of Faith of Michael Palaeologos, 1267 (*ES*, #461); cf. Leo IX, “Congratulamur vehementer,” 1053 (*ES*, #343). 269. Profession of Faith of Michael Palaeologos, 1267 (*ES*, #461). 270. Profession of Faith of Michael Palaeologos, 1267 (*ES*, #462); cf. Leo IX, “Congratulamur vehementer,” 1053 (*ES*, #344). 271. a om. CM 272. Lat. IV, canon 1 (*ES*, #429).

CONFESSION OF FAITH

[2] In all the cities and dioceses in the Kingdom of Cyprus “there are mixed peoples of diverse languages having, under one faith, various rites and customs,” as we relate though experience. Their bishops and leaders in accordance with the diverse rites and languages should instruct them in word and equally by example, so that when all the darkness of errors has been banished, in healthy doctrine the aforesaid leaders can walk in the bright rays of the True Light that illuminates those who profess to be Catholics, and so that they can instruct more clearly their subjects or the peoples committed to their care. Therefore, we determined to declare explicitly the profession of faith that the Holy Roman Church firmly holds, teaches, and preaches, so that when the rays of the True Light are before them they are able to follow the path of Truth and reject the various diversions into error.

[3] Whoever desires to be saved and to be considered Catholic must firmly believe and entirely confess “that there is only one true God, eternal and immeasurable, unchangeable, incomprehensible, omnipotent, ineffable, Father and Son and Holy Spirit; indeed three persons but one absolutely simple essence, substance, or nature; the Father [proceeding] from no one, the Son from the Father alone, and the Holy Spirit proceeding from both,” “not as from two sources, but from one source, not by two spirations, but by one unique spiration. Until this day the Holy Roman Church, the mother and mistress of all the faithful, has professed, preached, and taught this, and firmly holds and preaches this. The immutable and true judgment of all the orthodox fathers and doctors, Latins and Greeks alike, maintains this.”

[4] Moreover, the same Holy Mother Church holds, teaches, and preaches that there exists “the Holy Trinity, the Father and the Son and the Holy Spirit, the entire deity in Trinity, co-essential and consubstantial, co-eternal, co-omnipotent, of one power, will, and majesty, the creator of all creatures, from which, through which, and in which all visible and invisible, corporeal and spiritual things exist under the heavens and on the earth, a single person in Holy Trinity, the one true and perfect God.”

[5] [It holds, teaches, and preaches] “the only begotten Son of God, the Word of God eternally begotten of the Father, consubstantial, co-omnipotent, and co-equal in divinity with the Father in all things, made flesh by the entire Trinity communally, conceived with a rational soul of Mary ever Virgin with the cooperation of the Holy Spirit, having two births, one eternal from the Father, the other temporal from the mother, true God and true man, complete and perfect in each nature, not adoptive

phantasmaticum, sed unum et unicum filium Dei, in duabus et ex duabus, Divina scilicet et humana, naturis, sed in unius personae singularitate,²⁷³ impassibilem et immortalem Divinitate, sed in humanitate, pro nobis et pro salute nostra, passum vera [E] carnis passione, mortuum, et sepultum, et descendisse ad inferos, ac tertia die resurrexisse a mortuis vera carnis resurrectione, die quadragesima post resurrectionem, cum carne qua resurrexit et anima, ascendisse in caelum et sedere ad dexteram Dei Patris, et inde venturum judicare vivos et mortuos, et redditurum unicuique secundum opera sua, sive bona fuerint, sive mala,”²⁷⁴ “tam reprobis quam electis, qui omnes cum suis propriis resurgent corporibus quae nunc gestant,” reprobi vero “cum diabolo poenam perpetuam” recepturi, et electi “cum Christo gloriam sempiternam.”²⁷⁵ [2434A]

[6] Credere etiam debet et tenere firmiter unusquisque catholicus “unam esse fidelium universalem ecclesiam, extra quam nullus omnino salvatur,”²⁷⁶ in qua unum datur “baptisma et vera omnium remissio peccatorum.”

[7] Firmiter etiam credere et simpliciter confiteri debet quicumque fidelis novi et veteris testamenti, legis, ac prophetarum, et apostolorum, unum esse autorem Deum. Et haec est vera fides catholica quam super dictis articulis tenet et praedicat sacrosancta Romana ecclesia, mater omnium fidelium et magistra.

[8] Sed propter diversos errores a quibusdam ex ignorantia et ab aliis ex malitia adinventos, dicit, tenet, docet, et praedicat “quod secundum communem Dei ordinationem animae sanctorum hominum qui de hoc saeculo ante Domini nostri Iesu Christi passio[B]nem decesserunt; necnon sanctorum apostolorum, martyrum, et confessorum, virginum et aliorum fidelium defunctorum, post sacrum ab eis Christi baptisma susce[374]ptum, in quibus nil purgabile fuit quando decesserunt, nec erit quando decedent, etiam in futurum, vel si tunc fuit aut erit purgabile aliquid in eisdem, cum post mortem suam fuerint purgatae; aut quod animae puerorum eodem Christi baptismo renatorum et baptizandorum, cum fuerint baptizati, ante usum liberi arbitrii decedentium, mox post mortem suam et purgationem praefatam, in illis qui purgatione huiusmodi indigebant, etiam ante resurrectionem suorum corporum et iudicium generale, post ascensionem salvatoris nostri Domini Iesu Chri[C]sti in caelum: fuerunt, sunt, et erunt in caelo caelorum, regno, et paradiso caelesti cum Christo sanctorum angelorum consortio congregatae, ac post Domini Iesu Christi passionem et mortem viderunt, vident, et videbunt Divinam essentiam, visione intuitiva ac etiam faciali, nulla mediante creatura in ratione objecti nisi [read: visi] se habente,

273. singularitate] singularitates M 274. Profession of Faith of Michael Palaeologos, 1267 (*Enchiridion Symbolorum*, #462); cf. Leo IX, “Congratulamur vehementer,” 1053 (*ES*, #344). 275. Lateran IV, canon 1 (*ES*, #429). 276. Lateran IV, canon 1 (*ES*, #430).

nor as a phantasm, but the one and only Son of God, in two and of two natures, namely the divine and the human, but in the singularity of one person. He is impassible and immortal in divinity, but in humanity He suffered in the true suffering of the flesh, died, and was buried for us and for our salvation. He descended into Hell, on the third day He rose from the dead in the true resurrection of the flesh, and, on the fortieth day after the resurrection, in the flesh with which He had risen and in soul, He ascended into Heaven and is seated at the right hand of the Father. He will come again to judge the living and the dead, and will render unto everyone according to his works, be they good or evil," "both for the reprobate and the elect. They shall all rise with their own bodies that they now possess, the reprobate receiving perpetual punishment with the Devil, the elect eternal glory with Christ."

[6] Each and every Catholic must also believe and hold firmly that "there is one Universal Church of the faithful, outside of which absolutely no one is saved," "in which one Baptism and the true remission of all sins is given."

[7] Every faithful person must also firmly believe and confess without qualification that the one God is the author of the Old and New Testament, the law, and the prophets, and the apostles. And this is the true Catholic faith which the Holy Roman Church, the mother and mistress of all the faithful, holds and preaches concerning said articles.

[8] But on account of various errors devised by some out of ignorance and others out of malice, [it is necessary to say that the Roman Church] says, holds, teaches, and preaches "that, according to God's common design, the souls of holy men who departed from this life before the Passion of our Lord Jesus Christ; and also [the souls] of the holy apostles, martyrs and confessors, virgins, and other faithful who died after receiving Christ's holy Baptism, in whom when they passed away nothing that could be purged existed nor even will exist in the future when they die; or if at that time there was or will be something in them that could be purged, when after their death they are purified; or the souls of children reborn and to be baptized by the same Baptism of Christ, when they are baptized but dying before having the use of free will: just after their death, and the aforesaid purification in those who were in need of such purification, even before the resurrection of their bodies and the Last Judgment, after the ascension into Heaven of our Savior Lord Jesus Christ, were, are, and will be gathered with Christ and the consortium of holy angels in the Heaven of heavens, kingdom and celestial paradise, and after the Passion and death of Lord Jesus Christ saw, see, and will see the Divine Essence with intuitive and even face-to-face vision, with no creature mediating in the nature of an object that is seen, but with the

secundum [read: sed] Divinam [read: Divina] essentiam [read: essentia] mediante [read: immediate] se²⁷⁷ videre [read: nude], clare, et aperte eis ostendere [read: ostendente]; et quod sic videntes eadem essentia perfruantur; necnon quod ex tali visione et fruitione eorum animae qui jam decesserunt sunt vere beatae et habent vitam et requiem aeternam; et erunt illorum qui postea decedent cum eadem videbunt Divinam essentiam ipsaque perfruentur, ante iudicium generale. Et quod [774] postquam inchoata fuit [D] vel erit talis intuitiva et facialis visio et fruitio in eisdem, eadem visio et fruitio, sine aliqua intercisione seu evacuatione praedictae visionis et fruitionis, continuata fuit et continuabitur usque ad finale iudicium et extunc usque in sempiternum.”²⁷⁸

[9] Diffinivit insuper “eadem sancta mater ecclesia quod, secundum communem Dei ordinationem, animae decedentium in actuali peccato mortali, mox post mortem suam ad inferna descendunt, poenis infernalibus, tamen disparibus, puniendae, et quod nihilo minus in die iudicii omnes homines ‘ante tribunal Christi’²⁷⁹ cum suis corporibus comparebunt reddituri de factis propriis rationem.”²⁸⁰ [E]

[10] “Tenet etiam et docet eadem Romana ecclesia septem fore sacramenta ecclesiastica: unum, scilicet Baptisma, de quo supra dictum est”²⁸¹ “quod ad invocationem individuae Trinitatis, videlicet Patris, et Filii, et Spiritus sancti, consecratur in aqua, quod tam parvulis quam adultis in forma²⁸² ecclesiae a quocumque rite collatum proficit ad salutem. Post cujus susceptionem baptismi, si quisquam prolapsus fuerit in peccatum, potest semper per veram poenitentiam reparari”²⁸³ et suorum consequi veniam peccatorum. Aliud est sacramentum Confirmationis, quod cum ab apostolorum tempore solis fuerit pontificibus reservatum, in fronte [2435A] chrismando renatos soli debent episcopi per manus impositionem conferre. Cujus forma haec est: “Signo te signo crucis, et confirmo te chrismate salutis, in nomine Patris, et Filii, et Spiritus sancti, amen.” Quod si simplices sacerdotes conferre praesumant, nihil agunt, cum ex eorum collatione umbra quaedam ostendatur in opere, veritas autem non subeat in²⁸⁴ effectum. Aliud est poenitentia. Aliud est Eucharistiae sacramentum, quod “ex azymo conficit eadem Romana ecclesia, tenens et [375] docens quod in”²⁸⁵ azymis verum conficitur et potest confici corpus Christi, “cujus corpus et sanguis in sacramento altaris sub speciebus panis et vini veraciter continetur, transsubstantiatis pane in corpus et vino in sanguine[m] potestate Divina.”²⁸⁶ Quod “utique

277. hic aliquid mendum subest *add in margin* CM. L has a * also, recognizing a problem. My corrections are based on the *Enchiridion Symbolorum* text. 278. Combination of Profession of Faith of Michael Palaeologos, 1267 (ES, #464) and Benedict XII, “Benedictus Deus,” 1336 (ES, #530). 279. II Corinthians 5.10. 280. Benedict XII, “Benedictus Deus,” 1336 (ES, #531). 281. Profession of Faith of Michael Palaeologos, 1267 (ES, #465). 282. forma] formam M 283. Lat. IV, canon 1 (ES, #430). 284. in] id C 285. Profession of Faith of Michael Palaeologos, 1267 (ES, #465). 286. Lat. IV, canon 1.

Divine Essence immediately showing Itself nakedly, clearly, and openly to them; and [the Roman Church says, holds, teaches, and preaches] that those have the vision in this way fully enjoy the [Divine] Essence; and that on the basis of this vision and fruition, the souls of those who have already died are truly blessed and have eternal life and rest; and [blessed] will be those who will die afterwards when they will see the same Divine Essence and fully enjoy It before the Last Judgment; and that after such an intuitive and facial vision and fruition in these souls had commenced or will have commenced, the same vision and fruition was continued and will be continued until the Last Judgment and from then on forever without any interruption or weakening of this vision and fruition.”

[9] “The same Holy Mother Church has determined moreover that according to God’s common design, the souls of those dying in actual mortal sin descend into Hell just after their death, to be punished with infernal pains, although of a different sort, and that nevertheless on Judgment Day all men will appear ‘before Christ’s tribunal’ [II Corinthians 5.10] with their bodies to render an account of their own deeds.”

[10] “The same Roman Church also holds and teaches that there will be seven ecclesiastical sacraments. One, namely Baptism, which, it was said above” “by the invocation of each person of the Trinity, namely of the Father, Son, and Holy Spirit, is effected in water, leads to salvation when duly conferred on both children and adults by anyone whatsoever in the form prescribed by the Church. And should anyone fall into sin after receiving baptism, he can always be restored by true repentance” and attain the forgiveness of his sins. Another is the sacrament of Confirmation, which only bishops must confer by the laying on of hands, since from the time of the apostles anointing the foreheads of the those who were reborn was reserved for the pontiffs alone. The form for this is as follows: “I mark you with the sign of the cross, and I confirm you with the chrism of salvation, in the name of the Father, and of the Son, and of the Holy Spirit, amen.” If simple priests presume to confer this, nothing is done, since by their conferring a certain semblance appears in the act, but truth does not enter into the effect. “Another is Penance.” “Another is the sacrament of the Eucharist, which the same Roman Church prepares with unleavened bread, holding and teaching that in” unleavened bread there is brought about and can be brought about the true body of Christ, “whose body and blood are truly contained in the sacrament of the altar under the forms of bread and wine, the bread being transubstantiated into the body and the wine into the blood by divine power.” “And no one can effect this sacrament except a priest who has been duly ordained in accordance with the keys of the Church, which Jesus Christ himself granted to the apostles and their successors.” Another is the sacrament of Ordination. “Another is

sacramentum nemo potest conficere nisi sacerdos rite fuerit ordinatus secundum claves ecclesiae, quas ipse concessit apostolis et eorum successoribus Iesus Christus.”²⁸⁷ Aliud est Ordinis sacramentum. “Aliud est extrema unctio, quae secundum doctrinam beati Iacobi infirmantibus exhibetur.”²⁸⁸ Aliud est matrimonium, de quo tenet sancta mater ecclesia “quod nec unus vir simul plures uxores”²⁸⁹ habere permittitur, nec unquam licuit, nisi cui fuit Divina revelatione concessum, nec una mulier simul “habere plures viros. Soluta vero lege matrimonii per mortem alterius conjugum, secundas, et tertias, et deinceps nuptias successive licitas esse dicit, si impedimentum canonicum ex causa le[C]gitima non obsistat.”²⁹⁰

[11] Tenere debet insuper fateri et publice confiteri quicumque vult reputari catholicus quod ipsa sacrosancta Romana ecclesia est mater omnium fidelium et magistra, et super universam catholicam ecclesiam plenum principatum obtinet et primatum, quem memorata ecclesia “ab ipso Domino in beato Petro apostolorum principe seu vertice, cujus Romanus pontifex est successor, cum plenitudi[775]ne potestatis recepisce, veraciter et humiliter recognoscit.”²⁹¹ Cujus Romani pontificis, “si quae subortae fuerint quaestiones” et causae majores, “suo debent iudicio diffiniri. Ad quem potest quicumque gravatus in negotiis ad forum ecclesiasticum pertinentibus appellare, et in omnibus causis ad examen ecclesiasticum spectanti[D]bus ad ipsius potest recurri iudicium. Et eidem omnes ecclesiae sunt subjectae, ipsarumque praelati obedientiam et reverentiam sibi debent”²⁹² qui in partem sollicitudinis sunt vocati.

[12] Praescriptam igitur purissimam, certissimam, solidissimam Romanae ecclesiae et orthodoxae fidei veritatem, evangelicae doctrinae consonam, a sanctis patribus traditam, et Romanis pontificibus in suis statutis, synodis, diffinitionibus, determinationibus, et constitutionibus roboratam, ab universis et singulis regni Cypri, cujuscumque nationis existant, firmiter teneri et simpliciter, absque varietatis inconstantia et sine scrupulo cujuslibet dubietatis, agnosci, praesentis constitutionis serie auctoritate praesentis [E] concilii promulgatae, praecipimus et mandamus, si omnipotentis Dei et sacrosanctae Romanae ecclesiae, necnon sanctissimi domini nostri, domini Benedicti papae XII, cupiunt effugere ultionem. Per hoc autem non intendimus inhibere Graecis episcopis et eorum subditis quin ritus suos fidei catholicae non adversos sequantur, juxta compositionem a felicitis recordationis domino Alexandro, Romano pontifice, in regno Cypri inter Latinos et Graecos editam et diutius observatam.

[13] Memorati Graecorum, Maronitarum, et Armenorum episcopi, et praemissarum aliarum nationum majores, pro se et subditis suis, intellectis

287. Lat. IV, canon 1. 288. Profession of Faith of Michael Palaeologos, 1267 (*Enchiridion Symbolorum*, #465). 289. Ibid. #465. 290. Ibid. #465. 291. Ibid. #466. 292. Ibid. #466.

Extreme Unction, which is performed on the sick in accordance with the teaching of Saint James." Another is Marriage, concerning which the Holy Mother Church teaches "that neither is one man permitted to have more than one wife at one time," nor was it ever allowed except to him to whom it was granted by divine revelation, "nor is one woman allowed to have more than one husband. But when the covenant of marriage has been dissolved by the death of one of the spouses, it states that second, third and further marriages in succession are licit, if no canonical obstacle stands in the way for a legitimate reason."

[11] Moreover, whoever wishes to be considered Catholic must hold, acknowledge, and publicly confess that "the Holy Roman Church is itself the mother and mistress of all the faithful, and possesses over the Universal Catholic Church full pre-eminence and primacy, which along with the plenitude of power said Church truly and humbly recognizes itself to have received from the Lord Himself in Saint Peter, the prince or head of the apostles, whose successor is the Roman pontiff." And "if great lawsuits and cases should arise," they must be determined by the judgment of the Roman pontiff, "to whom anyone who is oppressed in affairs pertaining to the ecclesiastical arena can appeal, and to whose judgment anyone can have recourse in all cases that lend themselves to ecclesiastical consideration. And all churches are subject to him, and their prelates" who have been called in the name of solicitude "owe obedience and reverence to him."

[12] Therefore, if they desire to avoid the vengeance of Almighty God, of the Holy Roman Church, and also of our most holy lord, the Lord Pope Benedict XII, we order and command that all people of the Kingdom of Cyprus, together and individually, whatever their nationality may be, shall firmly hold and absolutely acknowledge, with constancy and without a hint of doubt, the most pure, certain, and solid truth of the Roman Church and the orthodox faith, consonant with the doctrine of the Gospels, handed down by the Holy Fathers, and strengthened by the Roman pontiffs in their decrees, synods, resolutions, determinations, and regulations, prescribed in the text of the present constitution, which was promulgated by the authority of the present council. We do not intend by this, however, to hinder the Greek bishops and their subjects from following their rites which are not opposed to the Catholic faith, in accordance with the agreement between Latins and Greeks in the Kingdom of Cyprus, observed for so long, which Lord Alexander of happy memory, the Roman pontiff, produced.

[13] When each and every of the aforesaid items concerning the individual articles of the faith and ecclesiastical sacraments and other things contained in

omnibus et singulis supradictis et super singulis articulis fidei et [2436A] ecclesiasticis sacramen[376]tis ac aliis in dicta serie comprehensis, singuli singulariter, et universaliter universi, juxta relationem infrascriptorum interpretum, clare, aperte, distincte, et singulariter, et explicite recognoverunt, humiliter et devote, et spontanea voluntate, omni timore semoto, et quacumque coactione cessante, humili professione confessi sunt et devota confessione professi illa omnia et singula in dicti scripti serie comprehensa vera esse, et quod illa omnia et singula firmiter credebant, prout superius explicite²⁹³ declarantur. Adjiciens [*read: adjicientes?*] rationes quod ita erat ab omnibus catholicis absque dubietate credendum; et quod sacrosancta Romana ecclesia erat mater omnium fidelium et magistra, super omnes eccle[B]sias plenum principatum obtinens et primatum; et quod sanctissimus in Christo pater, dominus Benedictus, Divina providentia papa XII, successor beati Petri et in terris vicarius Iesu Christi, erat cunctorum fidelium pater et pastor et dominus, cui singuli praelati ecclesiarum omnium debent reverentiam humilem ipsique reverentiam eidem et obedientiam promittebant, petentes humiliter quod eis liceret in suis ritibus fidei non contrariis permanere, ac deprecantes dictum dominum archiepiscopum ut devotionem eorum intimare domino summo pontifici dignaretur.

[14] Acta sunt haec Nicosiae, in aula archiepiscopatus majori, praesentibus venerabilibus viris, dominis Leode[C]gario de Nabinalis decano, Baliano Guezii, Antonio Marbre, et Bernardo Coste, [776] canonicis, et capitulo ecclesiae Nicosiensis; Marino de Luca cantore, et Ioanne Benedicti, canonicis Paphensis ecclesiae; Iacobo Paschalis, thesaurario et canonico Nimociensi: linguarum Latinae et Graecae notitiam habentibus; Gofredo Spangiota, archidiacono et canonico Famagustano; Iustino de Iustinis, milite et consiliario regio; fratre Francisco de Nimocio, priore provinciali fratrum Praedicatorum in provincia terrae sanctae; fratre Raymundo de Moragis, ordinis fratrum Minorum in dicta provincia ministro; Iacobo de sancto Prospero, canonico Nimociensi et dicti domini archiepiscopi officiali, inter Latinos et Graecos, et Ioanne Mahe presbytero, Tarsensi canonico, inter Lati[D]nos et Maronitas, Iacobitas, et Nestorinos, et presbytero Petro de Ascalona, inter eosdem Latinos et Armenos: interpretibus; fratre Iterio de Nabinalis, ordinis fratrum Minorum, ac domino de Parma: testibus ad haec vocatis et rogatis; et quampluribus aliarum ecclesiarum canonicis et notabilibus viris ac clericorum Latinorum et aliarum nationum multitudine copiosa.

[15] Post haec et instanti, in praesentia totius concilii, lectae, firmatae, et publicatae fuerunt aliae constitutiones infra scriptae:

293. explicite] explite M

said text was understood, the said bishops of the Greeks, Maronites, and Armenians, and the elders of the other nations referred to above, for themselves and their subjects, individually as individuals, and universally as a group in accordance with what the below-written interpreters related to them, clearly, openly, distinctly, individually, and explicitly recognized, and humbly and devoutly, by their free will, all fear removed, and without any coercion, confessed in humble profession and professed in devout confession that each and every item contained in the text of said document was true, and that they firmly believed each and every one as it was explicitly explained above. They added the principles that thus it was to be believed by all Catholics without doubt; and that the Holy Roman Church was the mother and mistress of all the faithful and possesses full pre-eminence and primacy over all churches; and that the most holy father in Christ, by divine providence the Lord Pope, Benedict XII, the successor of Saint Peter and the vicar of Jesus Christ on Earth, was for all the faithful the father and shepherd and lord, to whom the individual prelates of all churches owe humble reverence. They themselves promised reverence and obedience to him, humbly requesting that they be allowed to maintain their rites that are not contrary to the faith, and begging the aforesaid lord archbishop to deign to make their devotion known to the lord the supreme pontiff.

[14] These were done in Nicosia, in the Great Hall of the archbishopric, in the presence of the following venerable men who were called and summoned as witnesses to these acts: Having knowledge of the Latin and Greek languages: Lords Leodegar of Nabinaux, dean, Balian Guecius, Anthony Marbre, and Bernard Coste, the canons and chapter of the Nicosia Church; Marino of Lucca the cantor and John Benedict, canons of the Paphos Church; and James Paschal, treasurer and canon of Limassol. Lords Godfrey Spangiota, archdeacon and canon of Famagusta; Justin of Justinis, knight and royal counselor; Brother Francis of Limassol, prior provincial of the Friars Preacher in the province of the Holy Land; and Brother Raymond of Moragis, minister of the Order of the Friars Minor in said province. Lord James of Saint Prosper, canon of Limassol and official of said lord archbishop, interpreter between the Latins and the Greeks. The priest John Mahe, canon of Tarsus, interpreter between the Latins and the Maronites, Jacobites, and Nestorians. Peter of Ascalon, priest, interpreter between the same Latins and the Armenians. Brother Iterius of Nabinaux of the Order of Friars Minor. And the Lord of Parma, and many canons of other churches and distinguished men, and a great number of Latin clerics and clerics of other nations.

[15] Immediately after these, the below-written regulations were read, affirmed, and published in the presence of the entire council:

STATUTA CONCILII

I. *De decimis integre solvendis.*

[a] Item, approbatione ejusdem concilii confirmamus, [E] innovamus, et ratificamus, ac etiam approbamus constitutionem editam contra decimas non solventes in provinciali concilio apud Nimocium celebrato, quae incipit “Contumacia non plene.”²⁹⁴ Adjicientes eidem, sicut in constitutione bonae memoriae domini Hugonis, Nicosiensis archiepiscopi, continetur expresse, quod eandem excommunicationis senten[377]tiam ipso facto incurrant omnes et singuli qui ecclesiis Nicosiensi, Paphensi, Nimociensi, et Famagustanae integras decimas non solverint, ut tenentur, de omnibus redditibus suis, possessionibus, terris, animalibus, appaltis, ac aliis quibuscumque, sine deductione seminis, taliae, angariarum, vel aliarum quarumlibet ex[2437A]pensarum, cum integre, sine deductione aliqua, decima sit solvenda.²⁹⁵ Quam sententiam incurrere debeant ipso facto omnes et singuli qui annis singulis plene et perfecte non computaverint et integre non solverint, ut superius est expressum, per totum Februarium cujuslibet anni. A qua sententia nullus possit absolvere [read: absolvi] sine speciali licentia nostra et aliorum praelatorum praemissarum ecclesiarum, vel eorum quibus nos in dioecesi nostra, et ipsi in singulis suis dioecesibus, specialiter duxerimus concedendum. Et quod illorum corpora, qui usque ad extremum vitae exitum excommunicationem sustinuerint, occasione praemissa, animo indurato, licet eos in ipso mortis articulo absolvi contingat, usque ad [B] satisfactionem integram extra coemeterium ecclesiasticum valeant detineri, cum vix unquam ecclesia valeat percipere quod est suum.

[b] Cui constitutioni dictus dominus Odo, Paphensis episcopus, non consensit – immo, in quantum suam posset ecclesiam tangere, totaliter contradixit, maxime ubi incipit “et quod illorum corpora,” etc., et ab inde infra. [777]

II. *Contra matrimonia clandestina.*

Item, statuimus et mandamus auctoritate ejusdem [C] concilii “quod matrimonium semper in facie ecclesiae inter personas legitimas hora debita celebretur, excommunicantes ex nunc omnes et singulos qui matrimonia clandestina de caetero inter se praesumpserint celebrare, et omnes et singulos qui talibus matrimoniis interfuerint seu consilium dederint, auxilium, vel favorem. Quorum absolutionem loci dioecetano episcopo reservamus,”²⁹⁶ imposita prius dictis excommunicatis poenitentia salutari et aliis quae de jure fuerint injungenda. “Sacerdos autem vel clericus qui matrimonio clandestino opem vel operam dederit, ab officio et beneficio sit suspensus usque ad tempus a canone diffinitum. Clandestina autem ma[D]trimonia intelligimus quae fient de caetero sine licentia”²⁹⁷ nostra vel dioecesanorum in eorum dioecesibus, vel illorum quos nos et ipsi singulariter duxerimus deputandos. Et in matrimoniis contrahendis

294. *Synodicum Nicosiense* G.XVI. 295. Cf. *Ibid.* C.19. 296. *Ibid.* G.IX, not verbatim. 297. *Ibid.*

STATUTES OF THE COUNCIL

I. *Concerning paying tithes in full.*

[a] Again, with the approval of the same council we confirm, renew, and ratify, and also approve the regulation produced in the provincial council held in Limassol against those who do not pay tithes, which begins: "The obstinacy of those." We add to it, as is expressly contained in the regulation of Lord Hugh of good memory, archbishop of Nicosia, that by that very fact, each and everyone incurs the sentence of excommunication who does not pay in full, as he is obliged, to the churches of Nicosia, Paphos, Limassol, and Famagusta, the tithes on all their incomes, possessions, lands, animals, rents, and anything else, without deduction for seed, expenses, requisitions, or any other expenditures, since the tithe is to be paid in full without any deduction. Each and everyone who does not calculate fully and completely and pay in full every year, as was expressed above, during February of each year, must incur this sentence automatically. No one is to be able to be absolved of this sentence without our special permission and that of the other prelates of the aforementioned churches, or that of those people to whom we, in our diocese, and they, in each of their dioceses, specially see fit that this be granted. And [we add] that the bodies of those who bore with hardened soul the excommunication for the aforesaid reason until the very end of their life, although it may happen that they are absolved on point of death, shall be able to be detained outside the ecclesiastical cemetery until full satisfaction [has been made], since the Church is hardly ever able to receive what is hers.

[b] Said Lord Odo, bishop of Paphos, did not agree to this regulation; rather in so far as it could affect his church, he completely refused, especially where it begins: "that the bodies of those," etc., and from there on.

II. *Against clandestine marriages.*

Again, by the authority of this council we decree and order "that matrimony shall always be celebrated in front of a church between legitimate persons at the proper time. From now we excommunicate every and all persons who presume to celebrate clandestine marriages between them in the future, and every and all persons who are present at such marriages or give advice, aid, or assistance. We reserve their absolution for the local diocesan bishop," when a healthy penance, and other things that are to be enjoined by law, have been imposed on said excommunicates beforehand. "But a priest or cleric who gives assistance and effort to a clandestine marriage shall be suspended from his office and benefice until a time that has been canonically determined. We understand clandestine marriages as those that take place from now on without our permission" or that of the diocesan [bishops] in their dioceses, or that of those people whom we and they see fit to be assigned individually. And proclamations must be done on three

proclamationes fieri debeant tribus diebus Dominicis successive, ut est fieri consuetum, quod tempus proclamationis ab aliquo nequeat coarctari, salvo quod hoc locum non habeat in regalibus et descendantibus ab eisdem. Et si contrahentes essent diversarum dioecesium, matrimonium intelligatur esse clandestinum nisi tribus diebus Dominicis, ut praemittitur, fuerit publice more solito proclamatum in majori ecclesia, vel in capellis parochialibus illius cujuslibet civitatis vel dioecesis, in qua vel quibus [E] quilibet ex contrahentibus consueverat habitare seu illo tempore habitabat. Poenis aliis contra sacerdotes et clericos hujusmodi matrimonia clandestina celebrantes, per constitutiones praedecessorum nostrorum promulgatas, nihilo minus in suo robore duraturis, videlicet poena perpetui carceris, juxta constitutionem bonae memoriae domini Hugonis, praedecessoris [378] nostri, quam auctoritate praesentis concilii innovamus ac etiam approbamus.²⁹⁸

III. *De synodo bis in anno celebranda.*²⁹⁹

Item, statuimus et mandamus quod singulis annis quilibet Latinus episcopus bis synodum debeat celebrare, videlicet IV feria post octavas Pentecostes et VI feria post octavas Epiphaniae, in qua personaliter debeat interesse, canonico impedimento [2438A] cessante vel per vicarium suum legitime impeditus, instruendo clerum verbo pariter et exemplo, et faciendo legi constitutiones praesentis concilii et alias in Nimociensi concilio editas,³⁰⁰ quas mandent a suis subditis observari.

IV. *Ut aliquo signo admoneantur fideles perfectum esse corpus Christi.*

Item, statuimus, et ordinamus, ac etiam mandamus omnibus episcopis Graecis et aliis praesulibus quarumlibet nationum et sacerdotibus earumdem quod debeant ordinare quoddam signum quod possit omnibus audientibus Divinum officium notum [B] esse illa hora qua perfecerint corpus Christi, quando celebrant in altari, ita quod illo tempore corpori Christi exhibeatur reverentia tam debita quam devota. [778]

V. *Ut constitutiones antehac editae habeant auctoritatem.*

Item, auctoritate praesentis concilii, omnes constitutiones tam a praedecessoribus nostris editas, quam in provinciali concilio apud Nimocium promulgatas, necnon per nos factas, innovamus, ratificamus, approbamus, ac etiam confirmamus, in quantum si[C]bi adinvicem minime contradicant, quas in dictis synodis annis singulis celebrandis publice legi mandamus et ab omnibus observari, sub poenis in eisdem constitutionibus comprehensis.

VI. *Ut non sint in ecclesiis cathedralibus canonici expectantes.*

[a] Item, cum propter canonicos in ecclesiis cathedralibus regni Cypri expectantes, ipsas ecclesias intolerabilia oportuit supportare, volentes praedictis

298. Cf. *Synodicum Nicosiense* A.XVI. 299. Cf. *Ibid.* A.I. 300. Cf. *Ibid.* G.

Sundays successively for contracting marriages, as is accustomed to occur, and no one can shorten this time of proclamation, except that this does not apply to the royal family or to those descended from them. And if those contracting [marriage] are from different dioceses, the marriage shall be understood to be clandestine unless it was proclaimed publicly in the customary manner on three Sundays, as was said, in the Great Church or in the parish chapels of each city or diocese in which each of those getting married had been accustomed to living or was living at that time. Furthermore, the other punishments in the regulations of our predecessors promulgated against priests and clerics who perform these clandestine marriages will remain in force, namely the punishment of perpetual imprisonment, according to the regulation of Lord Hugh of good memory, our predecessor, which we renew and also approve by the authority of the present council.

III. Concerning holding a synod twice annually.

Again, we decree and command that every Latin bishop must celebrate a synod two times each year, namely on the Wednesday after the Octaves of Pentecost and the Friday after the Octaves of Epiphany, at which he must be present personally, unless legitimately prevented by a canonical impediment, or through his vicar, instructing the clergy by word and by example equally, and causing to be read the regulations of the present council and others published in the Council of Limassol, which they shall order their subjects to observe.

IV. That the faithful should be reminded with a certain sign when the body of Christ is completed.

Again, we decree and establish and also command that all Greek bishops and other bishops of every nation and their priests must settle on a certain sign which can be known to all those hearing the divine office at the hour when they complete the body of Christ, when they are celebrating at the altar, so that at that time reverence both fitting and devout is shown to the body of Christ.

V. That the regulations produced before this time should have authority.

Again, by the authority of the present council, we renew, ratify, approve, and also confirm all regulations both published by our predecessors and promulgated at the provincial council in Limassol, and also made by us, insofar as they do not contradict each other in the least. And we order that they be read publicly in said synods that are to be celebrated every year, and that they be observed by all people, on the punishments contained in the regulations themselves.

VI. That there should not be expectant canons in the cathedral churches.

[a] Again, since because of expectant canons in the cathedral churches of the Kingdom of Cyprus these churches had to bear intolerable things, we want to

occurrere et indemnitatibus nostrae et aliarum ecclesiarum dicti regni cathedralium providere, autoritate [D] praesentis concilii “statuimus et ordinamus quod de caetero nullus canonicus, quantumcumque sit in sacris ordinibus constitutus, sub expectatione praebendae vocem in capitulo et stallum in choro sibi debeat vindicare, nec amucias³⁰¹ deferre de vario, seu pro festis duplicibus aliquid de” secretis ipsarum ecclesiarum, “vel aliunde, seu exenia aliqua recipere, nec in aliquo se tanquam canonicus intromittere, donec praebendam fuerit pacifice consecutus. Et praedictam nostram constitutionem mandamus et volumus,” autoritate praemissa, in quibuscumque ecclesiis cathedralibus dicti regni “debere inviolabiliter observari, non obstantibus quibuscumque consuetudinibus ipsarum ecclesiarum retroactis temporibus observatis,”³⁰² [E] salva semper in omnibus sanctae sedis apostolicae autoritate.

[b] Cui constitutioni dictus dominus Odo, Paphensis episcopus, non consensit – immo totali[379]ter contradicit, nec vult ipsam locum habere in sua Paphensi ecclesia.

VII. *Ut clerici de executione testamenti se non intromittant.*

Item, constitutioni synodali editae Nicosiae per reverendum in Christo patrem, dominum Hugonem bonae memoriae, archiepiscopum Nicosiensem, praedecessorem nostrum, in ea parte in qua cavetur, videlicet in fine ipsius constitutionis, quod presbyteri aut clerici dioecesis Nicosiensis, corpore tradito sepulturae, de commissaria seu executione testamenti, sine licentia praelatorum seu vicariorum Nicosiensis ec[2439A]celsiae, se in aliquo intromittant, quae incipit: “Ad reprimendam avaritiam ministrorum ecclesiae,”³⁰³ adjicimus autoritate praesentis concilii quod, si quis contrarium fecerit, ipso facto sententiam excommunicationis incurrat. Et ad hoc inducimur ut fidei commissariorum et executorum malitiis obvietur, et celerius impleantur decedentium voluntates, quorum executorum officium non intendimus impedire.

VIII. *Ut clerici non sint officiales laïcorum.*

[a] Item, constitutioni bonae memoriae domini Gerardi, archiepiscopi Nicosiensis, praedecessoris nostri, editae in provinciali concilio regni [779] Cypri apud Nimo[B]cium celebrato, in qua continetur quod clerici non sint officiales laïcorum, et incipit: “Prohibemus ne sacerdotes aut clerici cujuscumque linguae vel nationis existant,”³⁰⁴ adjicimus quod, si quis de caetero hoc attentare praesumpserit, ipso facto sententiam excommunicationis incurrat.

[b] Lectae et recitatae fuerunt dictae constitutiones et ordinationes per reverendum in Christo patrem et dominum, dominum fratrem Heliam, Dei et apostolicae sedis gratia archiepiscopum Nicosiensem supradictum, assistantibus sibi reverendis in Christo patribus, dominis Odone Paphensi, Lambertino

301. amucias] almucias CM 302. *Synodicum Nicosiense* D. 303. Ibid. A.XXX. 304. Ibid. G.XI.

oppose the aforesaid and to provide for the protection of our church and of the other cathedral churches of said kingdom. By the authority of the present council we “establish, and ordain by the present regulation that from now on no canon, however he be positioned in holy orders, ought to lay claim to a say in the chapter or a stall in the choir for himself in the expectation of a prebend, nor exchange one almuce for another, nor receive anything from our Secrète nor any gifts from elsewhere for double feasts, nor present himself as a canon in any matter, until he obtains the prebend peacefully.” And on the aforesaid authority “we command and wish that our aforesaid regulation be observed from now on without violation” in all cathedral churches of said kingdom, “not withstanding certain customs of these churches that were observed in bygone times,” always excepting the authority of the holy Apostolic See in all things.

[b] Said Lord Odo, bishop of Paphos, did not agree to this regulation; rather he completely refuses, nor does he wish it to apply in his Paphos church.

VII. That clerics should not involve themselves in the execution of a will.

Again, to the synodal regulation produced in Nicosia by the reverend father in Christ Lord Hugh of good memory, archbishop of Nicosia, our predecessor, in the part, namely in the end of the same regulation, that warns that priests or clerics of the diocese of Nicosia shall not involve themselves in the commission or execution of wills, when the body has been put in the grave, without the permission of their prelates or of the vicars of the Nicosia Church, which begins: “To restrain the greed of the ministers of the Church,” we add by the authority of the present council that if anyone should act contrary to this, he shall incur the sentence of excommunication by the very fact. And we are led to this in order to prevent the things that are detrimental to the faith of commissioners and executors and to implement more quickly the wills of the deceased, the duty of whose executors we do not intend to obstruct.

VIII. That clerics should not be officials for laymen.

[a] Again, to the regulation of Lord Gerard of good memory, archbishop of Nicosia, our predecessor, published in the provincial council of the Kingdom of Cyprus held in Limassol, in which it is stated that clerics are not to be officials for laymen, and which begins: “We prohibit priests or clerics, of whatever language or nation,” we add that, from now on, if anyone should presume to attempt this, he shall incur the sentence of excommunication by the very fact.

[b] The aforesaid reverend father and lord in Christ, Lord Brother Elias, by the grace of God and the Apostolic See archbishop of Nicosia, read and recited said regulations and ordinances in the hall of the Nicosia archbishopric, with the assistance of his aforesaid suffragans the reverend fathers in Christ and lords,

Ni[C]mociensi, et fratre Marco Famagustano et Antheradensi episcopis ejus suffraganeis supradictis, in praesentia totius concilii supradicti convocatis, in aula archiepiscopatus Nicosiensis.

[c] Et scriptum per me, Marcum, notarium infrascriptum, sub anno a nativitate Domini MCCCXL, Indictione VIII, die Lunae XVII mensis Ianuarii, pontificatus sanctissimi in Christo patris et domini nostri, domini Benedicti papae XII, anno VI.

[d] Ego, Marcus scilicet Rolandini de Parma, imperiali autoritate notarius et nunc notarius et scriba publicus dicti domini archiepiscopi, prolationi et recitationi dictarum constitutionum, et omnibus et singulis supradictis, cum agerentur,³⁰⁵ in praesentia totius concilii supradicti interfui, et de ipsius domini archiepiscopi mandato et autoritate scripsi et publi[D]cavi, meoque signo solito roboravi. [380]

305. agerenter] ageretur CM

Bishops Odo of Paphos, Lambertino of Limassol, and Brother Mark of Famagusta and Tortosa, assembled in the presence of the entire council mentioned above.

[c] And I, Mark, the below-written notary, wrote this in the year from the Nativity of our Lord 1340, Indiction eight, on Monday the seventeenth of the month of January, in the sixth year of the pontificate of our most holy father and lord in Christ, the Lord Pope Benedict XII.

[d] I, Mark, namely Orlandini of Parma, notary by imperial authority, and now notary and public scribe of said lord archbishop, took part in the citation and recitation of said regulations and in each and every thing mentioned, when they were done, in the presence of the entire council mentioned above, and by the order and authority of the lord archbishop himself, I wrote and published and confirmed this with my customary mark.

[Text M]

CONSTITUTIONES PHILIPPI
archiepiscopi Nicosiensis.

Anno Domini MCCCL.

In Christi nomine, amen.

[a] Nos, Philippus, permissione Divina et sanctae sedis apostolicae gratia Nicosiensis archiepiscopus, considerantes quod perversorum audacia exigit ut praesentes nostras constitutiones ordinemus et [E] faciamus ad omne scandalum inter Francos et Graecos evitandum, de voluntate et assensu venerabilium virorum, dominorum Salvi de Cypro decani, Alexandri de Alexandria cantoris, Balduini de Clavaro, Adae de Gentraco, et Iacobi Gazantis, canonicorum et capituli nostrae Nicosiensis ecclesiae, ad hoc in camera majori nostri palatii more solito specialiter vocatorum et³⁰⁶ rogatorum, cum plures non essent tunc praesentes, nec in loco unde ad hoc vocari vel citari deberent de jure vel consuetudine ecclesiae nostrae Nicosiensis praefatae.

I. De Franco contrahente cum Graeca.

Statuimus et ordinamus, et in nostris constitutio[2440A]nibus scribi mandamus, quod de caetero nullus Francus audeat contrahere cum Graeca, vel Graecus cum Franca, nisi tribus edictis propositis more solito in ecclesiis Francorum secundum formam per praedecessores nostros editam, cum adinvicem contrahunt Franci. Et quod teneatur mulier Graeca quae contrahet seu contrahere velit cum Franco primo recipere sacramentum Confirmationis more Francorum. Et e converso, si sit Graecus qui velit [780] cum muliere Franca contrahere, primo, antequam ad contrahendum admittatur, confirmetur et banna etiam proponantur juxta mores, ut supra, ita quod liberi ex eis procreati seu nati pro Francis habeantur et teneantur, et more Francorum vivere debeant super om[B]nibus sacramentis recipiendis et perficiendis et aliis quibuscumque negotiis per ipsos agendis et sciendis.

II. Ut nec Graecus Franco nec Francus Graeco ministrent sacramenta.

Item, statuimus et ordinamus quod de caetero nullus presbyter Graecus, cujuscumque status et conditionis existat, audeat sacramenta ecclesiastica vel eorum aliquod ministrare alicui Franco, nisi in casu necessitatis evidentis. Et e

306. et omit CM

[Text M]

REGULATIONS OF PHILIP
Archbishop of Nicosia.

In the Year of the Lord 1350 [1353].

In the name of Christ, amen.

[a] We, Philip, by divine permission and the grace of the Apostolic See archbishop of Nicosia, consider that the audacity of perverse men requires us to make and ordain these our present regulations in order to avoid all scandal between Franks and Greeks. [We do this] with the will and assent of the venerable men Lords Salvus of Cyprus the dean, Alexander of Alexandria the cantor, the canons Baldwin of Chiavari, Adam of Gentraco, and James Gazant, and the chapter of our Nicosia Church, who for this purpose were specially called and summoned to the Great Hall of our palace in the customary way, since more men were not present at the time, nor were they in the place from which they were supposed to be called or summoned for this according to the law and usage of our aforementioned Nicosia Church.

I. Concerning a Frankish man marrying a Greek woman.

We decree and establish and order to be written in our regulations that from now on no Frankish man shall dare marry a Greek woman, or Greek man a Frankish woman, unless it be proclaimed three times in the customary way in the churches of the Franks, according to the form set up by our predecessors for when Franks marry each other. And a Greek woman who marries or wishes to marry a Frank shall first be required to receive the sacrament of Confirmation in the Frankish way. Conversely, if there is a Greek man who wishes to marry a Frankish woman, he shall be confirmed first, before being allowed to marry, and also the banns are to be proclaimed in accordance with custom as stated above. [This should be done] so that the freeborn children born to them are considered and held to be Franks and so that they must live in the Frankish manner with respect to receiving and performing all the sacraments and knowing and carrying out any other of their affairs.

II. That no Greek should minister the sacraments to a Frank, nor Frank to a Greek.

Again, we decree and establish that from now on no Greek priest, whatever his status or condition, shall dare minister the ecclesiastical sacraments or any of them to any Frank, except in case of evident necessity. And conversely, in the same way no Frank shall dare minister the ecclesiastical sacraments or any of

converso, quod nullus etiam Francus eodem modo sacramenta ecclesia[C]stica vel aliquod eorum ministrare audeat alicui Graeco, nisi, ut praemissum est, necessitate cogente evidenti. Et quia praemissa consueverunt et solent inter Francos et Graecos plura scandala generare, viam quibuscumque scandalis et malitiis volentes praeccludere, cum non simus sola praemissorum excessuum prohibitione contenti, una cum praemissis canonicis et capitulo nostro deliberavimus poenam imponere, ut quos Dei timor a malo non retrahit, saltem coercionis poena restringat, videlicet ut sacerdotes et clerici omnes qui ausi fuerint contra nostras prohibitiones praemissas matrimonia solemnizare, vel sacramenta ministrare, puniantur poenis statutis [381] et declaratis in constitutionibus matrimonia clandestina prohibentibus, et laici excommunicationis sententiam incurrant ipso facto. Quam etiam [D] (canonica monitione praemissa, videlicet sex dierum, quorum duos pro primo,³⁰⁷ duos pro secundo, et reliquos duos pro tertio et peremptorio termino eisdem assignamus) sedentes pro tribunali in camera majori nostri palatii, in praesentia dicti capituli ad hoc specialiter vocati et consentientis, contra quoscumque qui dictis constitutionibus et mandatis nostris non obedierint, proferimus in his scriptis. A qua nostra sententia nolumus quod aliqui transgressores dictarum nostrarum constitutionum possint absolvi, nisi imposita sibi poena ad arbitrium nostrum imponenda. Non intendentes per hoc viam praelatis includere³⁰⁸ quin possint quoscumque Graecos confir[E]mare, volentes se ad ritum Francorum transferre.

III. *De clericis manus injicientibus in clericos.*

Item, statuimus et ordinamus quod de caetero non absolvantur presbyteri rixantes qui manus injecerint unus in alium, quantumcumque sit offensa levis, nisi solverint bysantios X, pro labore et satisfactione injuriae, Nicosiensi ecclesiae. Et idem de diaconibus. Subdiaconi autem et alii in minoribus ordinibus constituti, priusquam absolvantur, solve teneantur bysantios V eodem modo, pro labore et satisfactione injuriae, Nicosiensi ecclesiae [2441A]

IV. *Ut in instrumentis manumissionum fiat mentio de sigillo curiae ecclesiasticae.*

[a] Item, statuimus et ordinamus quod de caetero notarii non audeant publicare instrumenta [781] manumissionum, nisi in ipsis instrumentis fiat mentio de sigillo curiae ecclesiae. Et si facta fuerint instrumenta, quod eisdem non adhibea[382]tur fides, et puniri possint notarii ad arbitrium nostrum aut vicarii vel officialis nostri.

[b] Lectae, publicatae, et recitatae fuerunt praedictae constitutiones et ordinationes coram clero et populo in coemeterio sancti Michaëlis de Nicosia, con[B]gregatis die Dominica Palmarum, sexta decima mensis Martii, anno Domini MCCCLIII, Indictione VI.

307. primo] et add M 308. forte: intercludere H. add in margin CM

them to any Greek either, unless, as was said before, there is evident and compelling necessity. And because these things that have been mentioned used to and frequently do now cause many scandals between Franks and Greeks, we wish to close beforehand any path for these scandals and misdeeds, since we are not content with the mere prohibition of the aforementioned offenses. Thus we decided along with the aforesaid canons and our chapter to impose a punishment, so that those whom the fear of God does not draw back from evil, will at least be restricted by the use of a coercive punishment. Namely, all priests and clerics who would dare solemnize marriages or minister the sacraments contrary to our aforementioned prohibitions shall be punished with the penalties established and declared in the regulations prohibiting clandestine marriages, and lay persons shall automatically incur the sentence of excommunication. In this writ we, who are seated for the tribunal in the Great Hall of our palace, in the presence of said chapter which was summoned especially for this purpose and gives its consent, also extend this sentence against whoever does not obey our aforesaid regulations and orders, when the canonical warning has been given, namely we assign six days, two for the first, two for the second, and the remaining two for the third and peremptory ultimatum. We do not wish any transgressors of our aforesaid regulations to be able to be absolved, unless the punishment is imposed on them according to our judgment. We do not intend by this measure to cut off the path by which Greeks who wish to transfer to the Frankish rite can be confirmed.

III. *Concerning clerics who lay hands on clerics.*

Again, we decree and establish that from now on brawling priests who lay hands on each other shall not be absolved, however mild the offense, unless they pay ten bezants to the Church of Nicosia for the distress and satisfaction of the infraction. The same for deacons. Subdeacons, however, and others who are in minor orders, shall be required to pay five bezants to the Church of Nicosia for the distress and the satisfaction of the infraction, before they are absolved.

IV. *That there should be mention of the seal of the ecclesiastical court in certificates of the manumission [of serfs].*

[a] Again, we decree and establish that from now on notaries shall not dare to publish certificates of the manumission [of serfs] unless there is mention of the seal of the ecclesiastical court in the certificates. And if these certificates are made without the faith being applied to them, the notaries can be punished at our discretion or that of our vicar or official.

[b] The aforesaid regulations and ordinances were read, publicized, and recited in the cemetery of Saint Michael of Nicosia before the clergy and the people, who gathered there on Palm Sunday, the sixteenth day of the month of March, in the year of our Lord 1353, Indiction six.

[Text N]

EIUSDEM CONSTITUTIO

Edita anno Domini MCCCLIV.

Ut quilibet in suo ordine serviat.

[a] Item, statuimus et ordinamus ut nullus in ecclesia nostra Nicosiensi existens in ordine sacerdotali de caetero promoveatur ad assisias subdiaconales et diaconales. Item, ut nullus habens seu [782] obtinens in [C] eadem ecclesia nostra Nicosiensi assisiam acolytalem, subdiaconalem, vel diaconalem se faciat, quamdiu eandem assisiam obtinebit, ad sacerdotales ordines promoveri, sub poena privationis ejusdem assisiae quam ibi obtinet. Conveniens enim est ut quilibet in gradu suo famuletur Deo, et serviat in eadem ecclesia prout est seu fuit ab initio institutum. Nec super hoc possit per aliquem dispensari nisi solum per nos vel per alios archiepiscopos qui pro tempore fuerint in eadem ecclesia constituti.

[b] Lecta, publicata, et recitata fuit dicta constitutio et ordinatio coram canonicis et capitulo dictae nostrae Nicosiensis ecclesiae, in Thesauraria ipsius nostrae Nicosiensis ecclesiae, MCCCLIV, Indictione VII. [D]

G.C. Singulare hoc habent ac proprium superiores constitutiones ut multa doceant, alioquin ignota, de disciplina qua Graecorum ecclesias Latini regebant. Plurimum autem lucis accipient ex Alexandri IV constitutione quae in hac ipsa Appendice ad annum MCCLX.³⁰⁹

309. quae in hac ipsa Appendice ad annum MCCLX] in tomo (tomo *omit* M) superiori allata CM

[Text N]

REGULATION BY THE SAME

Issued in the Year of the Lord 1354.

That everyone should serve in his order.

[a] Again, we decree and establish that from now on no one in our Nicosia Church who is in the priestly order should be promoted to assises at the level of subdeacon or deacon. Again, that no one having or obtaining an assise at the level of acolyte, subdeacon, or deacon in our Nicosia Church should have himself promoted to the priesthood as long as he possesses that prebend, on pain of the privation of the very prebend that he possesses there. For it is fitting that everyone serve God and serve in this church at his own level, according to how it has been or was established in the beginning. Nor can anyone exempt him over this, except us or other archbishops who are posted in this church for the time.

[b] The aforesaid regulation and ordinance was read, publicized, and recited before the canons and chapter of our aforementioned Nicosia Church, in the Treasury of this same Nicosia Church of ours, 1354, Indiction seven.

G. C.: The above regulations have their own singular element in that they teach much that is otherwise unknown about the system with which the Latins ruled the churches of the Greeks. The regulation of Alexander IV in this same appendix for the year 1260 throws much more light on these regulations.

PART II

OTHER DOCUMENTS OF THE
LATIN CHURCH OF CYPRUS
(TEXT X)

Pope Celestine III to the clergy, magnates, and people of Cyprus, Rome, the Lateran, 20 February 1196 [*Cartulary* #2].

[1] Bishop Celestine, servant of the servants of God, to his beloved sons the clergy, magnates, and people of Cyprus, greetings and Apostolic blessings. In the unity of the faith, God founded “upon this rock” [Matthew 16.18; Luke 6.48] the “foundation” of the Church, whose primacy, at the beginning of its birth, He conferred on the Roman See by having given the power to blessed Peter and his vicars. And He granted to it the sovereignty of all leadership. Indeed, from this power, in the spirit of doctrine, throughout many different parts of the globe, churches, like daughters born of the same mother, are nourished at her breasts by the milk necessary for the edification of the faithful. For many pieces of evidence are known that suggest that all people should receive their rules of spiritual governance from this See, on which Christ placed the sovereignty over the whole Church and which is recognized as being the mother of all priestly authority. It should also be the mistress of ecclesiastical law for all its suckling daughters, both because it is possessed via God’s special privilege and it is declared very plainly in the decrees of the Holy Fathers. Those who sometimes think differently are shown to wander out from the unity of the faith and strive to obstruct divine institutions, claiming for themselves spiritual leadership – but theirs is not from God –, consuming knowledge – but not from the source –, and following the tracks of their own will, they insist on wandering dangerously from the paths.

[2] We have plainly understood from the tenor of the letter of our beloved son the noble man Aimery, lord of Cyprus, that he possesses knowledge of God, at least by His inspiration in the singularity of the faith, and he recognizes the Roman Church as the head and mistress of all churches. As our beloved son Master B., the archdeacon of Latakia, his nuncio, certainly a prudent and discreet man, has very clearly related to us, Aimery is striving diligently to lead the island of Cyprus (whose dominion we believe to be conferred on him by divine rather than human power), his loving devotion having recalled it from its errors, back to the unity of the Orthodox Mother Church and away from the wild schism of agitators. Therefore we give copious thanks to almighty God, and we commend in the Lord the great fervor of his devotion. We have sure confidence in his worth, since among the other arguments we take as most profound the fact that his brother of honorable memory, the former king of Jerusalem, placed himself as a wall of defense for the Church and showed the constancy of his worth in many ways.

[3] Moreover, having heard the petitions of his devotion and sincere faith that were affectionately extended to our Apostolate, we want to advance his solemn

wish and desire with our thankful consent. We have ordered that our position in that area be committed to said Master B. and our beloved son Alan, the chancellor of Cyprus, so that from now on, with our authority and without the obstacle of appeal, they should not hesitate in ordering to be done whatever they think worthy to be implemented with God, concerning both tithes and donations to be granted to the Church. We will have this observed inviolably as fixed and firm. Therefore we are ordering your entirety, commanding through an Apostolic letter, to see to it that you show and grant diligent care, favor, advice, and assistance, appeal put aside, to these men so that they can have free and desired progress in the Lord in these matters. Given at the Lateran, the tenth Kalends of March, in the fifth year of our pontificate.

2

Pope Celestine III to Archbishop Alan of Nicosia, Rome, the Lateran, 13 December 1196 [*Cartulary* #8; similar to *Cartulary* #9 from Innocent III in 1202].

[1] Concerning the right of primacy, and on which days the pallium should be used, and the goods of said church that have been received under the protection of the Roman Church. And that monks should not hold chaplaincies, and that one should not make censual churches, and that no one should admit to divine offices one who has been excommunicated or placed under interdict by the archbishop, and no one should make an oratory without permission.

[2] Bishop Celestine, servant of the servants of God, to his venerable brother Alan, archbishop of Nicosia, and his successors who will take his place canonically in perpetuity. Established on the eminent height of the Apostolic See, the Lord providing, we must love with fraternal affection our brother bishops posted both near and far, and provide for the churches committed to them with paternal concern. On account of this, venerable in Christ brother archbishop, we mercifully agree to your just complaints, and we are taking under St. Peter's and our protection the aforesaid Nicosia Church, over which you are recognized to preside by the Lord's authority. And we fortify this church by the privilege of the present writing, establishing that whatever possessions and goods the same church possesses justly and canonically at present, or will be able to obtain with the Lord's help in the future, by the concession of popes, the generosity of kings or princes, the offering of the faithful, or in other just ways, should remain yours and your successors' firm and undiminished. Among the [possessions] we have directed that these be articulated with their own names:

[3] The place itself on which the aforesaid Nicosia Church is situated, with all its appurtenances.

[4] The same church's endowment, namely two casalia that our very dear son in Christ Aimery, the illustrious king of Cyprus, gave and assigned to the same church, namely Ornithi and Aphanía.

[5] In addition we confirm as yours and your successors', by Apostolic authority, the tithes of these areas of Cyprus, which by a ruling of the Apostolic See pertain to the same Nicosia Church, namely: Nicosia with its appurtenances, Solea, Tamassos, Tremithousa, Kiti, Kythrea, Kyrenia, Lapithos, Milias, Maratha, Sigouri, Kambi, Synta, and the fief Briem, and Asshia, and Pighi, and Peristerona.

[6] We also establish that the following bishoprics, namely Paphos, Limassol, and Famagusta, are from now on subject to your and your successors' metropolitan jurisdiction.

[7] Moreover, we concede the use of the pallium to you and your successors because of love, so that you might use it on the following days, namely Christmas, the feast of Stephen the Protomartyr, the Lord's Circumcision, Epiphany, the Presentation, Palm Sunday, Holy Thursday, Holy Saturday, Easter, Candlemas, Ascension, Pentecost, the Nativity of St. John the Baptist, the three feasts of Blessed Mary, All Saints' Day, the solemnities of all the Apostles, the dedication of churches, the consecration of bishops and the ordination of clerics, the main feasts of your church, and the anniversary of your consecration.

[8] Therefore it is fitting that you very diligently see to it that the honor of this garment is served with modest vivacity of deeds, both so that the ornaments of your manners shall be suited to it and so that you as well shall stand forth by divine authority as conspicuous in both. And you whom the duties of pastoral care bind, will be shown to exhibit love to your brothers. And even adversaries themselves will be united around you by your affection because of the Lord's command: "Follow peace with all men" [Hebrews 12.14]. Be free with pious works, be strong in virtues, let the rationale of good judgment shine in your breast, joined with superhumeral action, so that you may advance in God's sight and in the eyes of men so that you may set an example of virtue for the flock committed to you, and so that those adversaries who see your good works glorify your Father, who is in Heaven. Let edifying discourse be on your tongue, let zealous fervor be in your mind, and beyond this may you do all things that are proper to your duty with temperance, so that you are seen to embrace frequently the things that the dignity of the pallium demands, and so that you can acquire for yourself eternal glory in Heaven.

[9] By the present decree we also strictly forbid anyone from possessing the cemeteries of the churches or ecclesiastical benefices by hereditary right. And if by chance someone were to aim to do this, he shall be checked by ecclesiastical censure.

[10] Moreover, so that your and your successors' rights are not able to be lost in any way, we forbid monks from holding chaplaincies in your province, [thus] usurping the office or benefice of a priest or chaplain, without papal authority. Rather whatever things pertain to the rights of the chaplaincy should be kept intact for the chaplain-priests.

[11] Furthermore, we establish that no cleric of any [clerical] order should make censural the churches which have been conceded to them for their life only and which pertain to the rights of the archbishop, or transfer them to anyone's control, without your knowledge and consent or that of your successors. And if this should occur, it will be null and void.

[12] Moreover, we forbid anyone from admitting to the divine office or to church communion those whom you have excommunicated or whom you have placed under interdict without your knowledge or consent or that of your successors, and [we forbid] anyone from presuming to go against a sentence you have promulgated, except perhaps in imminent danger, so that, when he is unable to have your presence, it is necessary for him who is bound to be absolved by someone else, according to the form of the church, when he has first made amends.

[13] Furthermore, we grant license for the cross, namely the Lord's standard, to be borne before you throughout your diocese and the above-mentioned bishoprics.

[14] Moreover, by Apostolic authority we forbid anyone from presuming to construct anew a church or an oratory within the confines of your diocese without your or your successors' approval, except with privileges of the Roman pontiffs.

[15] When you, who are now the archbishop of the place, die, or any of your successors dies, no one should be installed there by any secret cunning or by violence, except someone whom the canons of the same place, with the advice of the suffragan bishops, see fit to elect canonically.

[16] Therefore we decree that no man whosoever is allowed to disturb rashly the aforesaid Nicosia Church, or to take away its possessions, or retain what has been taken, or weaken [the church], or bother it with any vexations. Rather all of the things that have been conceded for their governance and maintenance should be conserved whole for all purposes in the future, excepting the authority of the Apostolic See.

[17] Therefore, if in the future an ecclesiastical or secular person who knows of this page of our regulation should attempt to go against it rashly, and he is warned a second or a third time, unless he corrects his offense by making suitable amends, he will lose the rank of his power and position, and he will find himself a criminal in the divine court of justice for the injustice he perpetrated. And he will be alienated from the most sacred body and blood of God and the Lord, our Redeemer, Jesus Christ, and be subjected to divine vengeance at the final weighing [of souls].

[18] But let the peace of our Lord Jesus Christ be on all those in that place who observe his authority, so that they may harvest the fruit of good action here, and may discover the rewards of eternal peace at the Last Judgment. Amen, amen.

[19] I, Celestine, Bishop of the Catholic Church, [have signed].

I, Octavian, Bishop of Ostia and Velletri, [have signed].

I, Peter, Bishop of Porto and Santa Rufina, [have signed].

I, Melior, Cardinal-priest of SS Giovanni e Paolo, titular of Pamachi,

have signed.

I, Peter, Cardinal-priest of Santa Cecilia, have signed.

I, Jordan, Cardinal-priest of Santa Pudenziana, titular of Pastoris, have signed.

I, John, Cardinal-priest of San Clemente, bishop of Viterbo and Tuscany, have signed.

I, Guy, Cardinal-priest of Santa Maria in Trastevere, titular of Calisti, have signed.

I, Hugh, Cardinal-priest of San Martino, tituli of Equicius, have signed.

I, John, Cardinal-priest of San Stefano in Monte Celio, have signed.

I, Soffred, Cardinal-priest of San Prassede, have signed.

I, John, Cardinal-priest of Santa Prisca, have signed.

I, Gratian, Cardinal-deacon of SS Cosma e Damiano, have signed.

I, Gerard, Cardinal-deacon of San Adriano, have signed.

I, Gregory, Cardinal-deacon of Santa Maria in Portico, have signed.

I, Gregory, Cardinal-deacon of Santa Maria in Aquiro, have signed.

I, Gregory, Cardinal-deacon of San Giorgio in Velabro, have signed.

I, Nicholas, Cardinal-deacon of Santa Maria in Cosmedin, have signed.

I, Bobo, Cardinal-deacon of San Teodoro, have signed.

[20] Given at the Lateran, in the hand of Centius, cardinal-deacon of Santa Lucia in Orthea, the Lord Pope's chamberlain, on the Ides of December, Indiction fifteen, in the year of the Lord's Incarnation 1196, in the sixth year of the pontificate of Lord Pope Celestine III.

3

Pope Celestine III to Archbishop Alan of Nicosia, Rome, the Lateran, 13 January 1197 [*Cartulary* #3; cf. *Cartulary* #1 and 4].

[1] Bishop Celestine, servant of the servants of God, to his venerable brother Alan, archbishop of Nicosia, greetings and Apostolic blessings. The inscrutable profundity of Divine Foresight, at Whose command things terrestrial and celestial are arranged, established the "foundation" of the Church to be "upon this rock" [Matthew 16.18; Luke 6.48], and blessed Peter, whom He made leader and master of this Church, since he was formally called Simon, He wished to call by the different name of Peter. This is so that he who was to obtain, via the Lord's precept, the spiritual governance of the Church whose foundation is recognized as set "upon this rock (*supra petram*)," which is Christ, would be called by the name of Peter (*Petrus*), who would solidify the peoples in the foundation of the faith and would have full power to bind and to loose. Certainly our Lord and

Redeemer, Who declares His Father to be the husbandman [John 15.1] and Who promises that He Himself will remain with His disciples “to the consummation of the world” [Matthew 28.20], does not fail to look after “the vineyard” that He “planted” [Matthew 21.33] on His right, tending to the roots of the faithful through the inspiration of the Holy Spirit and extending offshoots through various parts of the world. Like a fertile vine irrigated with heavenly dew, He unceasingly visits and increases His faithful, whom He condescended to call the branches of the vine, saying, “I am the vine, you the branches. He that abideth in me, and I in him, the same beareth much fruit” [John 15.5], so that He never abandons in His governance those whom He established in the solidity of His love.

[2] He indeed Who, when He wills and in the way He wills, inspires and arranges all things, has deigned to recall in our times the island of Cyprus, which had been alienated from the direction of the Apostolic See long ago in the distant past, to the bosom of the Roman Church, which is known to be by divine disposition the mother of all churches. He has inspired our most dear son in Christ Aimery, the illustrious king of Cyprus, to request, with an honorable messenger and with a letter, that there be established by us, in whom the plenitude of power resides, on the same island, with the authority of the Apostolic See, one church which would be metropolitan and three episcopal sees, to which he himself proposed to assign sufficient endowments, and that we ordain in them such prelates that would nourish people of the Lord with the Word of salvation and instruct them with attentive preaching.

[3] Commending his proposal, which is indeed pious in the Lord, we have agreed to his petition, with the communal advice of our brothers, and conceding legatine functions on the island to you, at that time chancellor of the aforesaid king, and Master B., at that time archdeacon of Latakia, now bishop of Paphos, we have attributed to you both full power according to God of setting the churches in order and accepting the endowments that the aforesaid king is to assign to those churches.

[4] Moreover, as that same bishop’s petition made clear to us, and as the letters of both his royal serenity and of you and the clerics who were established in those churches declared to our Apostolate, you [both] proceeded very diligently in the execution of our mandate by the legatine authority which you were exercising. Having set up the cathedral churches and having received the endowments established by the royal munificence, you established clerics in each one. Therefore the Nicosia chapter, proceeding to conduct the election canonically, requested by a unanimous vote that you be their father and archbishop, and afterwards our venerable brothers the archbishop of Nazareth and the bishops of Bethlehem and Acre consecrated you in the office, as our letters enjoined on them. Finally, we welcome and offer thanks to the rest of the bishops that were canonically established in the other churches, and we impart Apostolic approval to these institutions that were created in the churches of

Cyprus with prudent deliberation. Since you must take up the insignia of your power, namely the palleum, from the Holy Roman Church, on which the Lord himself and His apostles bestowed the plenitude of power, and which, because it is supereminent among all the churches, summons bishops to diverse parts of the world in order to ensure that the teaching of the faith might receive continual growth, the chapter of the Nicosia Church humbly requests and demands that it be granted and at the same time transmitted to you by the Apostolic See. Therefore, persuaded by their petitions, and intending the palleum for the rewards and increases of both brothers and corporations, we directed the above mentioned bishop of Paphos, principally, and, secondarily, our beloved sons Leonard and Ralph, canons of Nicosia, whose prudence and concern we are able to commend in the Lord in many ways, to transmit the pallium to your fraternity, by the liberality of the Apostolic See. Thus they are to assign the same pallium to you by Apostolic authority, and they are to receive beforehand the oath of fealty according to the form that we are sending to you included in our bull. For by our written ordinances we order your suffragans and the whole of the people and clergy who are dwelling throughout the island of Cyprus to show the required obedience and reverence to you and to take care to comply with your healthy warnings and precepts, putting aside any opposition. Moreover, the attention of your care should be vigilant with the authority of the Lord and should labor in such a way that, with the honor that the Roman Church has joyfully granted to you, you make her happier by your deeds, and so that the actions of [your] deeds might be in harmony with the ornament of [your] vestments, and so that you show yourself to all to be such a man that like “a candle upon a candlestick you may shine forth” [Matthew 5.15], and the people entrusted to your care profit by your preaching and your example, and in this way the discipline of a new pontiff gleams in a new church, so that you are seen as “a faithful and wise servant whom his lord hath appointed over his family” [Matthew 24.45]. Given at the Lateran, on the Ides of January, in the sixth year of our pontificate.

4

Pope Innocent III to the papal legate Peter Capuano, cardinal-priest of San Marcello, Anagni, 23 January 1204 [Fragment of Haluscynskyj, *Acta Innocentii III*, #42].

To Peter, cardinal-priest of San Marcello, legate of the Apostolic See... in our place you confirmed our brothers and co-bishops in Cyprus, and when those things among them that had to be corrected were corrected, you planted those things that you know to be useful for the glory of the divine name, the benefit of the Christian faith, the honor of the Apostolic See, and the salvation of those men... Given in Anagni, the tenth Kalends of February.

5

Papal legate Peter Capuano, cardinal-priest of San Marcello, to Archbishop Alan (?) of Nicosia and the bishops of Paphos, Famagusta, and Limassol, Antioch, 10 March 1204 [Mas Latrie III (1855), 622-5; Maleczek (1998), 294-6].

[1] Peter, by divine permission cardinal-priest of San Marcello, legate of the Apostolic See, to his venerable brothers the archbishop of Nicosia and the bishops of Paphos, Famagusta, and Limassol, and his beloved sons the chapters and the whole clergy dwelling in Cyprus, greetings in the Lord. So that we carry out with care the obligations of our office as we are bound, we must take diligent pains and apply painstaking diligence so that in the churches and with the persons committed to our legation we strive to correct what we know needs correction, in accordance with God and with the canonical decrees that govern those things that pertain to the honor of God, to procure the salvation of souls, and to foster and increase churchly religion.

[2] Now however, since these statutes were made by the Holy Roman Church a long time ago and they have been observed thus far, for those things that we should make into law or rather renew, we have made our recommendations with the testimony of documents surrounding those things for which the spoken word used to suffice, lest they be allowed to lapse into the original confusion with the passing of time through the insolence or malice of certain people, or to be omitted because of some concealment or transgression.

[3] First of all, therefore, with your advice, beloved brothers in the Lord, venerable archbishop and bishops, and also yours, beloved sons in the Lord, canons, and that of other discreet and prudent men, we establish that prelates who are in or shall be at the time dwelling in Cyprus should grant to their canons, when a competent vicar has been left in their place in the churches, permission to attend the schools, conceding the fruits of their prebends for five years to those who study in the schools of the faculty of theology. For it is fitting for churchmen to sweat over the scholastic disciplines so that when they are illuminated with the light of knowledge, and shine out in the churches like lamps, they can show the way of Truth to their inferiors, as the prophet attests, saying: "For the lips of the priest shall keep knowledge, and they shall seek the law at his mouth, because he is the angel of the Lord of hosts" [Malachi 2.7].

[4] Next we establish that if it should happen that any of the canons is captured by enemies in some sinister misfortune, especially while engaged in the duties of his church, he should not be deprived of the fruits of his prebend in the meantime, but rather he should receive them as if he were present without any decrease, because we have heard from certain people that the opposite has been observed until now. For we consider it inhuman and very foreign to all equity and mercy for those afflicted to be consumed with a double affliction, to

whom we are, on the contrary, bound to open our hearts of compassion with charity as our mistress, as the Lord says when He opened the prison of those who were bound: "I was in prison and you came to me" [Matthew 25.36].

[5] In the next regulation also, we determine that the fruits of the prebend of a canon who dies, who while living was in debt, are to go that year to the payment of those debts that he had contracted by reason of necessity. Therefore, when satisfaction has been made to the creditors, his anniversary is to be celebrated with what is left over. For in this way one looks after the living and the dead, and we also believe that nothing is lost of the rights of the prelates. Judas the Maccabee supplied us with an example of this from ancient times: when a gathering had been made, he sent 12,000 drachmas of silver to Jerusalem to be offered for the sins of the deceased [II Maccabees 12.43]. By the authority of the present letter we also prohibit prelates from presuming to bring a sentence against their subjects when the order of the law has been disregarded, except in those cases in which it is stipulated about notorious men in canon and civil law, in which our Lord Jesus Christ instructs us, because no one had proven that the woman caught in the act of adultery should be condemned, stating [John 8.10-11]: "Woman, no man hath condemned thee. Neither will I condemn thee."

[6] With respect to this last, although it pains us, we have heard that some [clerics] in your parts are such slaves to filthiness of the flesh that they shamelessly have concubines in their own houses, while others, even if not in their own houses, still openly maintain them in other houses and supply them with their needs. Because nothing shines more brightly in the Lord than honesty of life and unpolluted conduct in ecclesiastical men, therefore, following in the footsteps of the Holy Roman Church, our mother, we strictly command that, from now on, anyone who is in holy orders who openly has a concubine in his house shall be stripped of the proceeds of his prebend for two years by the diocesan bishop. And if he openly maintains her in some other house, likewise he shall still be stripped of the proceeds of one year. And if this shaking up does not make him understand, but he chooses to rot in his own excrement like a mule [cf. Joel 1.17], so that he becomes completely filthy, rather than to devote the due servitude to the Lord in the vocation to which he had been called, from then what is canonical shall be inflicted. The genitals, especially those of ministers of the altar, must be kept contained even more than burning lamps in one's hands [cf. Luke 12.35], so that they should understand what was said to them [Isaiah 52.11]: "Be ye clean, you that carry the vessels of the Lord."

[7] Again, we want prelates to be bound in the love of their inferiors, and inferiors in the devotion to their superiors, by the chain of mutual affection without grumbling, and we want every cause of dissention cut off from them. Therefore, on pain of excommunication, we very strictly prohibit anyone from daring to conspire against his prelate. But if someone should presume to go against our prohibition, he will know himself to be bound by the chain of

excommunication until he obtains the benefit of absolution according to the form of the Church, either from the Roman Church, as long as it is present through us in the areas on this side of the sea, or from that time on from the metropolitan, namely from the bishop of the see of Nicosia. For the divinely imposed punishment of Core, Dathan, and Abiron, because they had conspired against Moses and Aaron [cf. Numbers 16.1-2, 31; 26.10], should deter them.

[8] Again, many estates and casalia on the island of Cyprus are very far from the cathedral and from the parish church, and accordingly [laymen] neglect to frequent the parish church to attend the divine offices and ask for the ecclesiastical sacraments. Thus many people's charity loses much of its force, and a serious crisis can often befall their souls. We want to provide for the health of the laity and yet we want the rights of the churches to be preserved unimpaired. Therefore, by the authority of the present letter, we order that when any nobleman – especially one moved by zeal for the Lord – devoutly submits a request to the diocesan bishop that he be allowed to have a chaplain who would administer the ecclesiastical sacraments to him and his people, and to whom this noble would grant all that is necessary, he should be offered easy approval, without prejudice to the parish church or alien right. Lest someone try – may it never happen – to block such a proposal of pious intention, if he should do so, whatever crisis may then occur will be blamed on him, as the Lord warns through the prophet Ezekiel [3.18]: "If, when I say to the wicked, 'Thou shalt surely die', thou declare it not to him, the same wicked man shall die in his iniquity, but I will require his blood at thy hand."

[9] But if anyone should determine to retain the tithes that have been assigned to needy souls and which each Testament decrees are to be given to the ministers of the altar, or [if he] does not disburse them without fraud to the churches to which he is supposed to, what is canonical shall be enacted against him, as the Lord said through the prophet [Malachi 3.10]: "Bring all the tithes into the storehouse that there may be meat in my house." Given in Antioch, the sixth Ides of March.

6

Queen Alice, Agreement of Limassol, October 1220 [*Cartulary* #84; quoted in *Cartulary* #82].

[1] On the agreement made between the lady the queen of Cyprus and the prelates concerning tithes and ordaining serfs and confirming Greek abbots.¹

[2] Let it be known to all people both present and future that I, Alice, by the grace

1. The rubric is from #82.

of God queen of Cyprus, the mother of Henry, the true lord and heir of the Kingdom of Cyprus, with the common will and assent of my and my aforesaid son's barons, knights, and men, at the requests and frequent admonitions made to me through the letters of the venerable father Lord Pelagius, by the grace of God bishop of Albano, the legate of the Apostolic See in the areas of the Orient and Cyprus, and also at the petition and request of my venerable fathers Lord Eustorge, by the grace of God archbishop of Nicosia, and the Lord Bishops Martin of Paphos, R. of Limassol, and Caesarius of Famagusta, have conceded and assigned to the same lord archbishop and bishops, and through them to their successors and to all their churches, the full tithes from all the revenues of the Kingdom of Cyprus and those of my and my son's aforesaid barons, knights, and men, in accordance with the usage and custom of the Kingdom of Jerusalem. I have also given them the poll taxes (*chevagia*) and dues (*dimos*) that the peasants of the archbishop and bishops of Cyprus and their churches formerly owed to me and to my son.

[3] Also, with the will and assent of my and my son's barons, knights, and men, I have conceded freedom to all Greek priests and deacons, so that they will not pay poll taxes nor perform corvées (*angarias*) for their persons, but rather they will show canonical obedience to the aforesaid archbishop and his church, namely those [Greek priests and deacons] who are in and will be in his diocese. Moreover, the others, inasmuch as they are in or will be in the dioceses of the aforesaid bishops, shall be obedient to their bishops and their churches in all spiritual matters.

[4] And since there now exists a great multitude of Greek priests and deacons in the Kingdom of Cyprus, and a scandal could arise if the priests and deacons were to leave the casalia in which they live and transfer themselves to other casalia, we wish and rule that while the aforesaid multitude exists, they shall remain in the casalia and the lands in which they presently live. And if they should transfer themselves elsewhere, they are bound to return to the casalia and lands from which they departed.

[5] Moreover, from now on if any of the Greeks is to be ordained, he must be ordained with the assent and will of his lord. And if the aforesaid archbishop and bishops that are and will be in Cyprus at the time should ordain one of them differently, they are bound to give an equally good peasant to his lord. And if any of the Greeks leaves Cyprus fraudulently, without his lord's knowledge, and has himself ordained outside the aforesaid kingdom, and afterwards returns to Cyprus having been thus ordained, his bishop is to suspend him from the office which he so secretively obtained, and his lord can capture him as his serf (*vilain*) and is to be allowed to return him licitly to his original servitude.

[6] Moreover, henceforth Greek priests and deacons who are to be ordained in the way expressed above should be allowed to go anywhere they wish, namely from one casale or land to another, without their sons and daughters and without this affecting their lords' rights, with the permission of the aforesaid archbishop and their bishops. And then the same prelates should substitute another Greek in the aforesaid place.

[7] Moreover, in the Greeks' monasteries that were accustomed to have abbots, when abbots are supposed to be replaced, there must be a canonical election in which the lord of that place has to have canonical assent. And such a canonical election shall be confirmed by the aforesaid archbishop or the bishop of the place, in accordance with God and the statutes of the sacred canons. And in this way the duty of benediction is applied to the one elected. Also, he who is thus made abbot should not be removed from his abbey except according to the form and process of the law. Moreover, the aforesaid abbots and monks who are in priestly or deaconal orders must be obedient in all spiritual matters to the archbishop and bishops mentioned, according to which of their dioceses they are and will be in, namely all [should be obedient] to the archbishop and the local diocesan bishop.

[8] Moreover, if the churches and abbeys of the Greeks had and have free and exempt alms, possessions, and lands or goods by a concession and gift of the Latin lords from the time the Latin lords were and are in Cyprus, they shall similarly have and possess them free and exempt from this time forward, peacefully and quietly, except for the rights and customs that the lords of the places are accustomed to have by reason of their temporal rights in them.

[9] Moreover, no Greek [shall become] a monk or lay-brother without the will and consent of his lord. And if he should presume to do otherwise, his lord, if he wishes, can capture him and return him to his original servitude.

[10] However, concerning the possessions and lands or places that the churches and abbeys and monasteries of the Greeks had in Cyprus in the time of the Greeks, the same archbishop and bishops mentioned, or their successors, or their churches, or anyone acting for them, must not raise any question, or law suit, or controversy in the future with me, my son, or his and my heirs, or his and my aforementioned barons, knights, and men, but rather, in peace and in complete quiet, I and my beloved son and his and my heirs, barons, knights, and men will be free from trouble and immune with respect to the aforesaid possessions in perpetuity.

[11] Moreover, so that this concession and assignation remains firm and intact in perpetuity, I ordered the present privilege to be sealed with my seal and corroborated by the below-written witnesses. The names of the witnesses are the following: Philip of Ibelin, the bailiff of the Kingdom of Cyprus; John of Ibelin, the Lord of Beirut; Walter of Caesaria, the Lord of Caesaria and the constable of Cyprus; Walter of Bethsam; Gormund of Bethsam; James of Rivet; William of Rivet, the blood brother of the same James; Aimery Barlais; Lawrence of Morphou; John Babin. This document was done in Limassol, in the year of our Lord's Incarnation 1220, in the month of October, and written by the hand of Ralph, the chancellor of the Kingdom of Cyprus.

7

Pope Honorius III to the patriarch of Jerusalem, Ralph of Merencourt, and the archbishops of Tyre and Caesaria, Rome, the Lateran, 3 January 1222 [Tautu, *Acta Honorii III et Gregorii IX*, #87].

[1] To the patriarch of Jerusalem and the archbishops of Tyre and Caesaria. Although in the Kingdom of Cyprus, as we have learned, one Latin metropolitan and three Latin bishops, his suffragans, were established by the authority of the legates of the Apostolic See, it happened in the course of time that a Greek archbishop and some Greek bishops were established there in the dioceses and cities of these same Latins, without Apostolic mandate and the consent of the Latin bishops who were there at the time. They obey neither the Roman Church nor the prelates or churches of the Latins, but what is worse, copying the previous errors of the Greeks, they grant permission to contract [matrimony] to people who are separated, for the purpose of fornication, and secretly – since they do not dare do it openly – they repeat the ecclesiastical sacraments that are conferred by the Latin priests or pontiffs. It would be monstrous – as is said in the canons of the General Council [Lateran IV, #9] – for one and the same diocese to have diverse pontiffs just as if diverse heads had one body, and the fact that they have placed themselves in alien dioceses in this way should alone be enough to expel them. One should fear much more lest, if they are not removed, they revive the old Greek schism. From this it could indeed easily happen that the whole said kingdom would withdraw itself from the obedience to and spiritual governance of the Roman Church and also from the dominion of the Latins.

[2] Therefore, after very diligently investigating the truth in these matters, if you find said Greek archbishop and bishops to have been placed in said dioceses, especially against the canon or the above mentioned council, without the special mandate of the Apostolic See and without asking for and obtaining the consent of the Latin bishops, then through an Apostolic letter we command your fraternity to eject them as intruders, and not to permit them to remain on any account as bishops in those dioceses from now on. Also, you should firmly enjoin on the Greek abbots, priests, and deacons of the aforesaid kingdom to show canonical obedience to the aforementioned archbishop and bishops of the Latins, insofar as they are and will be in their dioceses, like obedient sons conforming to the Holy Roman Church, their Mother, in accordance with the agreement recently fixed between our most dear in Christ daughter A[lice], the illustrious queen of Cyprus, and the aforesaid prelates, so that from now on there is one sheepfold and also one shepherd. You should restrain those who refuse, if there are any, or those who rebel with ecclesiastical censure, appeal put aside, no letters obtained from the Apostolic See prejudicing truth and justice. And if all do not, *etc.* Notwithstanding the canon of the General Council [Lateran IV, #37]

[which guards against anyone's being able to be dragged by an Apostolic letter more than two days' journey outside his diocese]. Given at the Lateran, the third Nones of January, in the sixth year of our pontificate.

8

Pope Honorius III to the archbishop of Nicosia, Eustorge of Montaigu, and Bishops Martin of Paphos and R. of Limassol, Rome, the Lateran, 5 January 1222 [*Cartulary* #86].

[1] That the Greek bishops (*episcopi*) should not be bishops (*presules*) in the dioceses of the Latins nor should they be considered as bishops (*presules*).

[2] Bishop Honorius, servant of the servants of God, to his venerable brothers the archbishop of Nicosia and the bishops of Paphos and Limassol, the suffragans of the same archbishop, greetings and Apostolic blessings. It is not necessary to commend the diligence that our venerable brother Caesarius, the bishop of Amochostos, has shown in advancing your affairs, especially for the confirmation of the agreement that you recently reached with our very dear daughter in Christ Alice, the illustrious queen of Cyprus, because, as we believe, you have experienced the circumspection of him who is devoutly and faithfully looking after your honor and prerogative. Nevertheless, in order that you more fully picture his sincerity and foresight, we commend him to you concerning the following matters. Indeed, when the same bishop presented the agreement to us, and we inspected its tenor diligently, we realized that you are not only showing fitting concern for the rights of our churches, but like a good and faithful shepherd you are taking steps to lead stray sheep to the fold of the Lord. Therefore we commend your diligence in the Lord. Because of this, inclined by your prayers and those of the same queen, we have seen fit that the agreement be confirmed by Apostolic authority. We warned her and gave her our letter ordering her to observe the agreement in all parts, and to have it observed by others, as much as she could, so that the benefit of peace and harmony between you and her might take root more firmly and so that the affection that the queen bears for God and the churches might be more clearly recognized.

[3] But in the same bishop's and your dioceses certain Greeks who are not obedient to the Roman Church and to your churches remain as if pontiffs, on whose behalf the queen humbly beseeched us to allow them to remain as they are in said dioceses. We wish to defer to her and her kingdom as much as we are able with our integrity, and to encourage and honor the Greeks who are returning to the obedience of the Apostolic See, bearing with these Greeks' customs and rites as much as we can with God. Nevertheless, in those things that engender a

danger to souls and impair ecclesiastical integrity, there must not be any favoritism with us. From now on we do not want to bear such things, since, as is said in the regulations of the General Council [Lateran IV, #9], it would be monstrous for one and the same diocese to have diverse pontiffs as if one body had different heads. Therefore, we are giving our letter to our venerable brothers the patriarch of Jerusalem and the archbishops of Tyre and Caesaria, ordering them not to allow them in any way to linger any more as bishops (*presules*) in the aforesaid dioceses. We also firmly enjoin on the Greek abbots, priests, and deacons of the Kingdom of Cyprus to show canonical obedience to you and the oft-mentioned bishop, according as they dwell and might dwell in his and your dioceses respectively, in accordance with the same agreement, thus conforming themselves as sons of obedience to the Holy Roman Church, their Mother, so that from now on there will be one sheepfold and one shepherd.

[4] We have also urged the oft-mentioned queen, as a devout daughter of the Church, to provide aid and assistance faithfully to this end, because it would indeed easily happen on account of these [Greeks] that with the passing of time the whole kingdom would remove itself not only from the obedience to the Roman Church in its spiritual governance, but also from the lordship of the queens' heirs and of the Latins. Furthermore, like careful shepherds in all things, in leading the Greeks back to your obedience, and to the Way, away from pathless wandering, you should treat the Greeks kindly and honestly, bearing with their customs and rites as much as you can with God, as a curtain draws a curtain, so that the surrounding [peoples] who are not obedient to the Roman Church might spontaneously revert to obedience to it by their example.

[5] Then, when your affairs and those of said queen had been taken care of diligently and faithfully, said bishop desired to return to you above all else, but we have detained him for certain business until the next feast of the Exaltation of the Holy Cross, although he was reluctant. Thus by the authority of the present letter we want and enjoin upon you to take care of his church in his absence and to look after it very willingly in all judicial matters, so that as a result of the work it is known that you love him and his church and so that when he returns he can commend with merit concerning your affairs. Given at the Lateran, the Nones of January, in the sixth year of our pontificate.

9

Pope Honorius III to the archbishop of Caesaria, the bishop of Acre, and P, treasurer of Caesaria, Rome, the Lateran, 20 January 1222 [*Cartulary* #35].

That the Syrians, Jacobites, Nestorians, and Maronites
should be subject to the Latins.

Bishop Honorius, servant of the servants of God, to his venerable brothers the

archbishop of Caesaria and the bishop of Acre, and his blessed son P., treasurer of Caesaria, greetings and Apostolic blessings. Our venerable brother the archbishop of Nicosia, for himself and for our brothers his suffragans, caused it to be related in our presence that in their dioceses dwell Syrians, Jacobites, Nestorians, and certain others who are obedient neither to the Roman Church, nor the aforesaid archbishop and prelates, nor the churches of the Latins, but instead they wander as if headless, supported by their ancient sects and errors. Whence the aforesaid archbishop, for himself and the prelates, humbly besought us to deign to reveal the opinion of Apostolic circumspection concerning this and to provide a healthy [solution]. Therefore, via Apostolic writings to your fraternity, we order that you compel the Syrians, Jacobites, Nestorians, and others mentioned above to showing obedience and reverence to the archbishop himself and to his suffragans, in whose dioceses they are and will be, with forewarning, through ecclesiastical censure, appeal removed, binding them by the same censure, appeal put aside. And if not all of you are able to be present to carry this out, at least two of you are to accomplish it, notwithstanding the regulation of the General Council [Lateran IV, canon 37] by which it guards against anyone having to be taken more than two days' journey outside of his diocese by an Apostolic letter for judgment. Given at the Lateran, the thirteenth Kalends of February, in the sixth year of our pontificate.

10

Pope Honorius III to Queen Alice and the barons, knights, and other men of Cyprus, Anagni, 8 March 1222 [*Cartulary* #80].

That the knights should observe the agreement made concerning tithes.

Bishop Honorius, servant of the servants of God, to his very dear daughter in Christ, the illustrious queen, and his beloved sons, noble men, the barons, knights, and other men of the Kingdom of Cyprus, greetings and Apostolic blessings. The devotion that you are said to have to the Holy Roman Church induces us to incite you in an Apostolic letter toward those things that pertain to your peace and salvation as gladly as how strongly we know you yourselves are bound to these things even when we are silent. Thus we request, attentively warn, and exhort, ordering you through an Apostolic letter that, for the reverence of blessed Peter and ours, you take care, willingly and liberally, to confer, or rather restore, some of the possessions that the churches, cathedrals, and monasteries of the Greeks are known to have had in the Kingdom of Cyprus, to the churches of the Latins who succeeded them and who were established in place of the Greek pontiffs in these

same churches by the Roman Church, so that the agreement over various issues that amicably came to pass between you [reading 'vos'], on one side, and our venerable brother the archbishop of Nicosia and the other prelates of the Kingdom of Cyprus, on the other, is able to be observed without disturbance. Given in Anagni, the eighth Ides of March, in the sixth year of our pontificate.

11

Archbishop Eustorge of Nicosia, Agreement of Famagusta, 14 September 1222 [*Cartulary* #95, with clarification from *Cartulary* #83; changes from the 1220 agreement, #6 above, are in bold].

[1] On the agreement made between the prelates and the queen of Cyprus concerning tithes.

[2a] Eustorge, by the grace of God archbishop of Nicosia, and Martin, bishop of Paphos, together with our chapters and those of the Limassol and Famagusta churches, to all those who will see the present letter, greetings in the True Salvation. A disagreement arose concerning tithes, possessions, and other things, between Alice, the illustrious queen of Cyprus (the mother of Henry, the true lord and heir of the Kingdom of Cyprus), and the barons and knights and men of the above mentioned Henry, on one side, and us, Eustorge, the archbishop of Nicosia, and our suffragan Bishops [Martin of Paphos, R. of Limassol, and Caesarius of Famagusta], and the chapters of our churches, on the other. Finally at the admonition of our venerable father Pelagius, bishop of Albano, legate of the Apostolic See, it was calmed, with the consent of both parties. But because the same agreement was called back into doubt, when this same legate came to Cyprus to accomplish the business of the legation, he admonished both parties to observe the above mentioned agreement. At last, with him and the masters of the Temple and the Hospital mediating, with the common consent and free will of both parties, we arrived at the following agreement:

[2b] Namely that the queen, barons, knights, and other men of the Kingdom of Cyprus will pay to us, the archbishop, and our suffragans, and their and our successors and to our churches the full tithes on all lands, **animals, rents**, and on other revenues also, according to the custom of the Kingdom of Jerusalem, without decrease.

[2c] Furthermore, the same queen, both for herself and for Henry, her son, remits the poll taxes (*chevagia*) and dues (*dimos*) that our peasants and those of our churches used to pay to the queen and to her son.

[3] Furthermore, she granted freedom to all Greek priests and deacons, so that they will not pay poll taxes (*chevagia*) nor perform corvées (*angarias*) for their

persons **as they used to do before**, but rather they will show canonical obedience to **us**, the archbishop, and **our suffragans** and churches, to whomever of **us** or **our suffragans** in whose diocese they stay, and they will be obedient in all spiritual matters to the **Latin archbishop** and bishops and their churches, **according to the way Greek priests and deacons (*levite*) rightly obey and have obeyed their Latin bishops in the Kingdom of Jerusalem from the time when the Latins, both clerics and laymen, obtained dominion there.**

[4] Moreover, because at present one finds a numerous multitude of Greek priests and deacons in Cyprus, the parties agreed that, while the aforesaid multitude exists, they are to remain in the casalia and the lands in which they presently live. And if they transfer themselves elsewhere, they shall be **forced** to return to the casalia and lands from which they departed.

[5] Moreover, from now on if any of the Greek **serfs (*vilains*)** is to be ordained, he must be ordained with the assent and will of his lord. And if we, the archbishop, or any of **our suffragans** or **our successors** should **permit someone's serf (*vilain*)** to be ordained differently, **since he must only be ordained with our permission or that of our suffragans**, we are bound to give an equally good **serf (*vilain*)** to his lord. And if any of the Greek **serfs (*vilains*)**, without his lord's knowledge, should have himself ordained outside the kingdom, and afterwards returns to Cyprus, the **Latin diocesan** bishop is to suspend him from the office which he so secretively obtained, and **compel** him to return to the **customary servitude** of his lord, **which he presumptuously tried to refuse. Or if anyone should have himself ordained in the kingdom by a Greek bishop without the permission of the Latin bishop, the Greek bishop who so promoted him shall be suspended from the office of conferring holy orders by the Latin bishop, and he who was so ordained shall be forced to return to the customary servitude of his lord.**

[6] Moreover, henceforth Greek priests and deacons who are to be ordained in the way expressed above should be allowed to go anywhere they wish, namely from one casale or land to another, without their sons and daughters and without this affecting their lords' rights, with our permission or that of our suffragans. And then the same prelates should substitute another Greek in the aforesaid place.

[7] Moreover, in the Greeks' monasteries that were accustomed to have abbots, when abbots are supposed to be replaced, there must be a canonical election in which the lord of the place has to **give** canonical assent. Such a canonical election shall be confirmed by **us, the archbishop**, or the bishop of the place, in accordance with God and the statutes of the sacred canons. And in this way the duty of benediction is applied to **him**. Also, the **abbot** who is thus **elected** should not be removed from his abbey unless **he perpetrates something on account of which he must be removed according to the canonical decrees**. Moreover, the aforesaid abbots and monks who are in priestly or deaconal orders must be obedient in all spiritual matters to **us**, the archbishop, and our suffragans, according to which of our dioceses they are and will be in, **in accordance with the usage and custom of the Kingdom of Jerusalem, as was noted above.**

[8] Moreover, if the churches and abbeys of the Greeks had and have free and exempt alms, possessions, and lands or goods by a concession and gift of the Latin lords from the time the Latin lords were and are in Cyprus, they shall similarly have and possess them free and exempt **in the future**, peacefully and quietly, except for the rights and customs that the lords of the places are accustomed to have by reason of their temporal rights in them.

[9] **It also pleased both parties that for the monasteries of the Greeks where there were abbots, we, the archbishop, or any of the bishops whom we appoint in our place, and the bailiff or someone else on the part of the queen, should estimate an adequate number of monks, so that when the multitude that exists at present is reduced to a small number by death or transfer, they should not admit anyone to be a monk beyond the prefixed number, but rather, when one dies, another man who wishes it shall be admitted from the land of him in whose land the abbey lies, without the lord's opposition.**

[10a] However, concerning the possessions and lands or places that the churches and abbeys and monasteries of the Greeks had in Cyprus in the time of the Greeks, we, the archbishop, or our suffragans or our successors, or our churches, or the chapters of our churches, or anyone acting for us or our churches, will not raise any question, or law suit, or controversy in the future **against the queen, or against Henry, her son, or their heirs, or against their barons, knights, or men, but rather the queen and her son and his and their heirs and men will endure no molestation or controversy from now on, but will possess them quietly and peacefully, except for the cathedrals and other churches of the Latins, all casalia, prestarias, and the collective possessions that they hold at present or which they will be able to acquire in the future with royal consent from the donation of kings or of others, with which, along with the tithes and other things mentioned above, the churches must be content.**

[10b] **In addition, with the consent of the aforesaid lord legate and by the will of both parties, only four Greek bishops will remain permanently in Cyprus, and they will be obedient to the Roman Church and to us, the archbishop, and our suffragans, in accordance with the custom of the Kingdom of Jerusalem, and they will live in the corresponding places named below. These places are, in the Nicosia diocese, in Solea; in the Paphos diocese, in Arsinoe; in the Limassol diocese, in Lefkara; in the Famagusta diocese, in Karpasia.**

[11] Given in Famagusta, in the year of the Incarnation of the Lord 1222, the eighteenth kalends of October.

I, Eustorge, archbishop of Nicosia, [have signed].

I, Martin, bishop of Paphos, have signed.

I, Hugh, treasurer of Nicosia, have signed.

I, J. of Paphos, canon of Nicosia, have signed.

I, Baldwin, canon of Nicosia, have signed.

I, Berand, canon of Paphos, have signed.

I, William, canon of Paphos, have signed.
 I, Robert, archdeacon of Amogostos, have signed.
 I, William, canon of Amogostos, have signed.
 I, John of Calo, canon of Amogostos, have signed.
 I, Bertrand, canon of Amogostos, have signed.
 I, William, cantor of Famagusta,² have signed.
 I, Rene, archdeacon of Limassol, have signed.
 I, Ramuold, cantor of Limassol, have signed.
 I, Robert, treasurer of Limassol, have signed.
 I, Bertrand, canon of Limassol, have signed.
 I, Stephen, canon of Limassol, have signed.
 I, Adam, canon of Limassol, have signed.
 I, Raymond, canon of Limassol, have signed.
 I, Durand, canon of Limassol, have signed.

12

Pope Gregory IX to Archbishop Eustorge of Nicosia, Rome, the Lateran, 5 March 1231 [*Cartulary* #69].

[1] That against Greeks who say "one does not bring about the Body of Christ in unleavened bread," and who will not celebrate at our altar, one should proceed as one does against heretics.

[2] Bishop Gregory, servant of the servants of God, to his venerable brother the archbishop of Nicosia, greetings and Apostolic blessings. With worthy praise in the Lord we commend your solicitude for sending for our advice on those matters that cause you doubt and seeking the help of the Apostolic See for performing those things that the pastoral office requires, and we respond to your requests with a grateful mind. In your letter you related that a short time ago the nobleman B[alian], son of the Lord of Beirut, presumed to contract clandestinely a marriage, or rather concubinage, with the daughter of the late nobleman W[alter] of Montbéliard and widow of the nobleman G[erard] of Montaigu, the noblewoman E[schive], who was related to him in the third and fourth degrees of consanguinity. This was against the Church's interdict promulgated by you and the late P[elagius], bishop of Albano of good memory, at that time legate of the Apostolic See in the areas of the Orient, with the threat of anathema, and it was to the scandal of the entire land of Outremer and to the danger of all their souls. Then because of this you, who were unable to ignore the offense of such rashness,

2. Four of the last five use the Greek name for Famagusta, "Amogostos."

promulgated a sentence of excommunication against them and their supporters. But they, “as the horse and mule, which have not understanding” [Tobias 6.17], drinking up malediction as if it were water, do not fear ecclesiastical discipline. They show contempt for the keys of the Church, publicly asserting that they can safely withstand a sentence of this sort in the hopes of a dispensation that they affirm they will obtain from us. And so that the mules might rot freely in their own excrement, they compelled you with threats to leave the Kingdom of Cyprus and flee to Acre, where you determined to await our will.

[3] Further, you added that certain Greek monks, thinking badly of the Catholic faith, publicly protested that the sacrament of the Eucharist does not exist on our altar, and that the Body of Christ should not be made of unleavened bread but rather of leavened bread, publicly pronouncing many other outrageous things that they know to be manifest error. Because of this you decided that they should be imprisoned until we see fit, and, diligently warned by you, they do not wish to withdraw from this error without the advice of their patriarch.

[4] We commend in the Lord your zeal and righteousness. Therefore, warning them via an Apostolic letter to your fraternity, we order, if things are thus, that you have the aforesaid nobles along with their supporters publicly denounced as excommunicates, throughout the whole province of Nicosia and also throughout the entire Kingdom of Cyprus, on each and every Sunday and feast day, while ringing the bells and lighting candles, both by our authority and by yours, until the proper amends [are made]. Against the aforesaid monks you will proceed as if against heretics, invoking for this the help of the secular arm against them, if you deem it expedient, with no letter from the Apostolic See being prejudice to truth and justice. Given at the Lateran, the third Nones of March, in the fourth year of our pontificate.

13

Pope Gregory IX to Archbishop Eustorge of Nicosia, Rome, the Lateran, 9 April 1240 [*Cartulary* #73; similar to *Cartulary* #71, 72, and 74; cf. Tautu, *Acta Honorii III et Gregorii IX*, #262].

That the archbishop should assign the monasteries of the Greeks fleeing from Cyprus because of heresy.³

Bishop Gregory, servant of the servants of God, to his venerable brother the archbishop of Nicosia, greetings and Apostolic blessings. We give thanks and we welcome the fact that your solicitude in carrying out our command is found to

3. The rubric is from #71.

be diligent, and that in matters that pertain to the integrity of the Catholic faith and of the Church's status, you most devoutly have seen fit to ask the Apostolic See. Thus it was disclosed on your behalf to our Apostolate that, when you had received a certain Apostolic command that you make it understood to all bishops subject to you that they should not in any way permit any Greek priest to celebrate Mass in their dioceses unless he first swore obedience to the Roman Church in the presence of his subjects, and abjured every heresy, especially the one whereby they falsely claim that the Latins are heretics because they celebrate Mass with unleavened bread – restraining those who refused or scorned our command, if there were any, with ecclesiastical censure, appeal put aside –, you, the diligent executor of this command, gathered together the Greek archbishop and bishops of your province and showed this command and very diligently had it read and explained to them. In defense of their iniquity they offered many excuses, and they tried hard to block your procedure, but because they were not able to rely on their vanity, when they had asked for and obtained a copy of our said command, they requested that a delay be conceded so that they might deliberate. While you asserted that this was not to be conceded on this point, you afterwards conceded it to them in order to convince them of the arrogance and superstition of their error. Before the day fixed for them, they left the confines of your province in secret along with Greek abbots, monks, and superior priests, when the monasteries and churches in which they were living had been stripped of all their goods – they are said to have crossed over to parts of Armenia –, while said Greek archbishop threatened with a sentence of excommunication the rest of the Greek abbots, monks, and priests who remained in that province, if they obeyed the Apostolic command. You saw fit to seek Apostolic counsel on these matters, humbly and devotedly requesting that we concern ourselves with applying a healthy remedy for this. We do not want the Greek archbishop, bishops, and others mentioned above to prevail in their defiance and malice, but rather that they be confounded in them. Therefore, through an Apostolic letter to your fraternity, we command that you shall not fail to expel from the borders of your province the Greeks who remain, if they should refuse to yield to the commands of the Apostolic See. You should attend to putting in order their churches and monasteries and those of the aforesaid fugitives with Latin priests and other suitable administrators, according to what you see as expeditious for their utility according to God – restraining with ecclesiastical censure those who refuse, appeal put aside, and beating down with a sentence of excommunication both the aforesaid Greeks and their supporters, shelterers, and defenders, invoking the help of the secular arm for this, if necessary. Given at the Lateran, the fifth Ides of April, in the fourteenth year of our pontificate.

14

Pope Innocent IV to the abbot and monks of the Greek monastery of St Margaret of Agros, Anagni, 14 July 1243 [*Cartulary* #107].

Bishop Innocent, servant of the servants of God, to his beloved sons the abbot and convent of the Greek monks' monastery of St Margaret of Agros, of the Order of St Basil, of the Nicosia diocese, greetings and Apostolic blessings. The Holy Roman Church has been accustomed to loving more readily its devout and humble children from the duty of its customary piety, and to supporting them like a good mother in the shelter of its protection so that they are not disturbed by the harassment of depraved men. Therefore, beloved sons in the Lord, we unite in assent to your just requests, as much as we can, and we take under St Peter's and our protection your persons and the monastery itself to which you are bound in divine service, along with all the goods that it lawfully possesses at present or will be able to obtain in the future in just ways, God maintaining. In particular, by Apostolic authority, we confirm to you and, through you, to your monastery, and we strengthen this by the present writing, the grange of St Mary of Stilo on Cape Gata of the Limassol diocese with its appurtenances, your possessions, and your other goods, as you possess them all justly and peacefully and as are said to be contained more completely in your documents. In addition, since until the time of the General Council [Lateran IV] the Greeks were hardly accustomed to paying tithes, no one should presume to exact or extort tithes from you based on your labor from what you cultivate with your own hands, or at your expense, on the possessions owned up until the time of the General Council or on the feed for your animals. You shall pay tithes on what was obtained after the General Council which you cultivate with your own hands or at your expense. But tithes shall be paid on what you let out to others for cultivation, whether obtained before or after the Council. Let no man infringe upon this page of our protection, confirmation, and regulation in any way, or go against it in rash audacity. But if someone should presume to attempt this, he shall know that he incurs the indignation of almighty God and that of Saints Peter and Paul, His apostles. Given in Anagni, the second Ides of July, in the first year of our pontificate.

15

Pope Innocent IV to the papal legate Robert of Nantes, patriarch of Jerusalem, Lyons, 25 January 1245 [*Cartulary* #108].

Bishop Innocent, servant of the servants of God, to his venerable brother the patriarch of Jerusalem, legate of the Apostolic See, greetings and Apostolic

blessings. The abundant malice of perverse people toward men dedicated to holy contemplation so frequently shows itself to be dangerous that they who should occupy themselves with the divine worship are not able to while they are disturbed by the others' harassment, and in defending their temporal goods they suffer detriment from the incursions of such men. As they showed us with their extensive petition, our beloved sons the abbot and convent of the Greek monks' monastery of St Margaret of Agros, of the Order of St Basil, of the Nicosia diocese, frequently suffer serious harassment from some people of the cities and dioceses of Nicosia and Limassol, who do not fear taking the Lord's name in vain. Therefore, wanting to provide for them on this matter with fatherly concern, we command your fraternity, through an Apostolic letter, that you not allow the monastery itself, along with their grange of St Mary of Stilo on Cape Gata, their persons, rights, and other goods, to be unduly molested by anyone, contrary to the protection of the privileges of the Apostolic See, restraining such molesters with ecclesiastical censure, appeal put aside. Notwithstanding the regulation concerning two days' journey that was made in the General Council [Lateran IV, canon 37], as long as one is not taken out of his diocese more than five or six days' journey for judgment by the authority of the present letter, the present letter being valid for at least three years from now. Given in Lyons, the eighth Kalends of February, in the second year of our pontificate.

16

Pope Innocent IV to Archbishop Eustorge of Nicosia, Lyons, 23 July 1246 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #30].

To the archbishop of Nicosia. Your fraternity related to us that some Greek monks of certain Greek monasteries that are subject to you by diocesan law, led astray by diabolical instigation, are deviating from the path of Truth. They either refuse to accept the Church's commands or receive them unwillingly and overturn those that have been received as much as is in their power, to such an extent that, since they profess the monastic way of life, which they have completely and damnably renounced, the monastic religious observance is disgraced by their shameful behavior. And what is more serious, they openly receive and welcome other Greeks damned with heresy, and supply their needs. Putting their foot into sedition in other ways, they commit detestable crimes that can scarcely be checked correctly without the strength of the Apostolic See. Your ordinary jurisdiction is considered sufficient for the their correction. Nevertheless, supported by the strength of our authority, you might proceed more freely the less you are able to be impeded by an opposing obstacle. And it is fitting that those who are unsettled by their own vice be restrained by alien

virtue, so that those who do not fear divine judgments are at least frightened by human power. Therefore, notwithstanding the device of deceitful appeal that it is customary to procure to elude canonical discipline, we are ordering that, with our authority, you correct and reform the things that you know to require the task of correction and reform in these monasteries, both in the head and in the members, vices removed from there and virtues planted. Those who refuse, *etc.* Given in Lyons, the tenth Kalends of August, in the fourth year.

17

Pope Innocent IV to the papal legate Lawrence of Portugal, OFM, Lyons, 4 June 1247 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #35; cf. *ibidem* #31, 7 July 1246, to which this refers].

To Brother Lawrence of the Order of Minors, our penitentiary, the legate of the Apostolic See. It would be very shameful if we, who are obliged to all people in justice out of the duty of the servitude we have taken up, were to grant the shield of defense to the subversion of the rights of others. In the office of full legation committed to you in Armenia, Iconium, Turkey, Greece, and the Kingdom of Babylon, and over all Greeks residing both in the patriarchates of Antioch and Jerusalem and in the Kingdom of Cyprus, we determined to enjoin on you, among other things, that you defend the Greeks of the aforesaid parts from the injuries and harassment of the Latins, and have the [Latins] make satisfaction to the [Greeks] for the damages and injuries already done, restraining those who refuse *etc.*, with ecclesiastical censures, appeal put aside. Therefore, our venerable brother the patriarch of Jerusalem, the legate of the Apostolic See, made it known – and you should know that we have learned it – that you therefore forbade the aforesaid patriarch from meddling in any way with the Greeks subject to him. Because of this, said Greeks, asserting themselves to be exempt from the jurisdiction of the patriarch, completely refuse to obey him in anything and to respond in court cases when they are obliged, to his outrageous injury and no small harm. Therefore, since it is not our intention by this favor shown to said Greeks to exempt them from the patriarch's jurisdiction, which he has had over them from old times, but rather to defend them from the incursions of malicious men, we command your discretion, if it is so, not to place yourself at all anymore in the way of the jurisdiction of said patriarch. Given in Lyons, the second Nones of June, in the fourth year.

18

Pope Innocent IV to the papal legate Eudes of Châteauroux, cardinal-bishop of Tusculum, Lyons, 21 July 1250 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #74].

[1] To the bishop of Tusculum, legate of the Apostolic See. It is proper to paternal devotion to bestow, very affectionately, the kiss of reconciliation on those whom the devious error of aversion has led far away from the paternal household and whom filial humility has returned with all its might to the embrace of greater favor. This instinct prompts Apostolic kindness to hold within the innermost heart of fatherly love the Greeks who are breaking away from the damned schism of the oriental separation and coming back to the undivided unity of Catholic integrity, to support them at the fuller breast of maternal sweetness, and to supply kindly their desires with the consent to a hearing offered according to God, so that, accepted with fitting support, they whom the sunset of the old Orient had plunged into the blind darkness of precarious deviation rejoice that they have risen again in the true⁴ dawn of the new Orient.

[2] The communication of our venerable brother Archbishop [Neophytos] of the Greeks of Cyprus that was transmitted to us contained the information that our beloved son Lawrence, our penitentiary, at the time legate of the Apostolic See in those parts, once recalled him from the exile into which the trouble of the injuries done to him by the Latin prelates had driven him, as he asserts. Afterwards,⁵ along with his suffragans, he voluntarily offered and humbly displayed to you, who were in those parts, servile obedience in the name of the Roman Church. Because of this, by the Apostolic See's clemency which is accustomed to flow to them very abundantly, the archbishop and suffragans – whom the new reconciliation united to the community of the whole – submissively requested that their petitions, which were sent through simple envoys, be brought before us and our brothers and be allowed the favor of a hearing.

[3] These envoys petitioned that (1), by our license, the same archbishop and his successors be permitted full and free power of canonically ordaining and replacing fourteen bishops of their nation on the island of Cyprus, since that is how many Greek episcopal sees were accustomed to exist there from ancient times; (2) that it be granted both to him and to the bishops and their successors remaining in obedience to the Roman Church that they not be subject to the jurisdiction of the Latin prelates, but rather that they enjoy the same privilege of liberty along with [the Latins] in subjection to the Apostolic See; (3) and also that

4. The ms., Reg. Vat. 22, f. 4r, has "veram" and not the edition's "verum."

5. The ms., Reg. Vat. 22, f. 4r, has "postmodum" and not the edition's "postmonun."

from now on they be allowed to exercise ordinary jurisdiction over their clerics and laymen as they used to exercise before leaping away from the obedience to the Roman Church; (4) and that the Greek clergy and populace be obedient to them in spiritual matters and be devoted to them, as is extended to the Latin prelates by their subjects; (5) and that the canonical taking of ecclesiastical orders and the free choice of the monastic profession be undisturbed with them, just as it was before the land was put under the dominion of the Latins. (6) Moreover, they petitioned that the tithes that the Latin archbishop and bishops exact from the Greek monasteries on their labors, which they cultivate with their own hands or at their expense, and also from the free Syrians and Greeks of the Kingdom of Cyprus, be completely relinquished in the future for the use of the archbishop of the Greeks and his suffragans; (7) and also that some portion of the tithes that come to the aforementioned Latin archbishop and bishops from the labor and feed of the animals of the Greeks of the aforesaid island should be assigned by the Latin prelates to the sustenance of the Greek prelates and their clerics. (8) In addition their humble entreaty requested that they be free to hear the spiritual cases of all the Greeks of the oft-mentioned island and to decide according to their canons and reasonable and ancient customs; (9) concerning these cases there should be no appeal to the Latin archbishop or bishops, but rather to us or to the legate of the Apostolic See whom we will assign in those parts; (10) in place of the Roman pontiff he should receive the solemn promise of obedience and reverence from the archbishop of the Greeks of Cyprus at the given time, and he should protect the Greek archbishop and his suffragans and defend them from undue harassment. (11) Furthermore, their petition added that whatever things P[elagius] of good memory, bishop of Albano, at that time legate of the Apostolic See in those parts, established or wrote or arranged in any pacts or provisions for the purpose of the punishment of their or his disobedience, or which any others obtained from the same See or its legates against the archbishop and bishops and other Greeks of the oft-said island, should be revoked as void, since when the cause of fault is permitted, the effect of punishment should be removed.

[4] But we have been unable to become informed as was necessary about the circumstances and causes that could instruct the impulse of our soul concerning these petitions. In such matters one should act for the feelings of the petitioners in such a way that one does not err in connection with those things that are usefully expedient. We have full⁶ confidence in your discretion and we consider that your prudence will be able to be informed more easily about those things which should be taken within the scope of deliberation, with the assistance of the local neighborhood. Therefore we order you to attend to establishing and arranging things, once the advice of prelates and other prudent men whom you think should be consulted without any scruple of suspicion has been

6. The ms., Reg. Vat. 22, f. 4v, has "plenam" and not the edition's "plenum."

communicated concerning the aforementioned things that the archbishop of the Greeks and his suffragans demand and their other just desires, providing and arranging by our authority what you consider to be fitting for their claim, for the salvation of souls, for the perpetual peace of the Church, and for the healthy growth of Catholic obedience. Those who refuse, *etc.* Given in Lyons, twelfth Kalends of August, in the eighth year.

19

Pope Innocent IV to the Greek bishops of Cyprus, and to the papal legate Eudes of Châteauroux, cardinal-bishop of Tusculum, Perugia, 20 December 1251 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #79-80].

[1] To the Greek bishops of Cyprus [and *mutatis mutandis* the bishop of Tusculum, legate of the Apostolic See]. He Who is ignorant of nothing knows that we, bearing paternal affection toward you, gladly listen to your petitions that are presented in our hall of justice and give them a favorable hearing, as far as is possible with God and honesty.

[2] Through the envoys that you sent to the Apostolic See, it was related on your behalf, in our presence, that when your Archbishop [Neophytos] of good memory had gone the way of all flesh, your metropolis remained destitute of the comfort of an archbishop for a long time, while you – to whom the canonical appointment of the metropolitan pertains from ancient times – were unable together (*de parte communi*) to arrange your province freely because of certain obstacles. Thus you humbly begged us to allow this to you by our kind permission. Therefore, inclined by your entreaties, by the authority of the present [letter], we concede to your fraternity the full and free faculty of freely exercising your right to place in authority over you a worthy person as archbishop and pastor, without prejudice of unfavorable law, notwithstanding that the time within which you were supposed to proceed to the election of the archbishop has elapsed. Given in Perugia, the thirteenth Kalends of January, in the eighth year.

[3] [Additional clause in letter to Eudes]: Therefore, if anyone decides to oppose these bishops over the election of the archbishop which is to be held by them in accordance with the main points of our concession, we order you to summon those who are to be summoned and, when you have heard their depositions, to determine what is canonical, appeal removed, having what you have decreed observed firmly by our authority. Notwithstanding the canon [#37] of the [Fourth Lateran] Council “concerning two days’ journey,” *etc.* Given as above.

20

Pope Innocent IV to Archbishop Hugh of Fagiano, the dean, and the chapter of Nicosia, Perugia, 23 January 1252 [*Cartulary* #12].

[1] The Apostolic See's confirmation of Lord Eudes's ordinances.

[2] Bishop Innocent, servant of the servants of God, to his venerable brother the archbishop and his beloved sons the dean and chapter of Nicosia, greetings and Apostolic blessings. When something just and honorable is asked of us, both equity's vigor and reason's order require that our concern for duty should lead to a proper result. Therefore, since our venerable brother, Bishop Eudes of Tusculum, legate of the Apostolic See, saw fit to make certain healthful statutes in your church for the beauty and honor of that church, as you have taken care to relate to us, we, inclined by your entreaties, and considering that what that bishop did concerning this is agreeable and valid, confirm it by apostolic authority, and strengthen it with the protection of the present writing. Therefore no one at all is to be allowed to violate this document of our confirmation, or to go against it in a rash venture. But if anyone should presume to attempt this, he will find that he incurs the indignation of almighty God and of Saints Peter and Paul, His apostles. Given in Perugia, on the tenth kalends of February, in the ninth year of our pontificate.

21

Pope Innocent IV to the papal legate Eudes of Châteauroux, cardinal-bishop of Tusculum, Rome, the Lateran, 17 February 1254 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #102].

To the bishop of Tusculum, legate of the Apostolic See. Through your letter you related to us with concern that a discord and disturbance arose between our brothers [Hugh], the archbishop of Nicosia, and his Latin suffragans, on one side, and the Greek bishops of the Kingdom of Cyprus, on the other, over several issues. So that we could be better informed about them, you fully and prudently related the tenor of these issues to us, asking that we take steps to deal with them with Apostolic diligence. When we had received this letter with affection, along with our brothers we diligently read through the text and the issues and other things that were contained in it. We thought about and deliberated over them as the nature of the matter required. We are sending a fixed response on many of these issues in another letter of ours to you. Therefore, concerning the other issues on which at present we have determined to respond to you, since we intend to deliberate more fully about them, we order you not to permit the archbishop

and suffragans or anyone else to harass the aforementioned Greek bishops in the meantime. Such harassers are to be restrained by our authority, appeal put aside, not withstanding if the Apostolic See has granted to the archbishop and the above mentioned suffragans or anyone else that interdiction, *etc.* until mention. Given at the Lateran, the thirteenth Kalends of March, in the eleventh year.

22

Pope Innocent IV to the papal legate Eudes of Châteauroux, cardinal-bishop of Tusculum, Rome, the Lateran, 25 February 1254 [Haluscynskyj and Wojnar, *Acta Innocentii IV*, #103].

To the same [bishop of Tusculum, legate of the Apostolic See]. In the heart of Jesus Christ we hold our venerable brothers the Greek bishops of the Kingdom of Cyprus, who are devoted to the Roman Church. We gladly assent to their wishes and, as much as we can with God, we gladly bestow favor on them. When their metropolitan see was vacant they decided to elect as their archbishop our beloved son George, a Greek cleric who was in minor orders, and we announced that this sort of election was invalid, that is, attempted against the form of the canons. Thus when the aforementioned bishops were in our presence, they humbly begged us to attend to granting them, out of the kindness of the Apostolic See, permission to provide, by canonical and harmonious election or request, an archbishop or pastor for themselves, with him, after he is promoted to holy orders, or with another worthy person. Therefore, very kindly assenting to their prayers, by the authority of the present [letter] we in turn grant the permission requested. We order that you take care to confirm, without any trouble, this election or request, which the same bishops decided to hold by the authority of this permission, if you find that it was performed of a worthy person canonically and harmoniously, once the truth about the manner of the election, the devotion of the electors, and the merits of the elected or requested man have been attentively investigated. You are to make sure that the obedience and reverence owed to the man elected is shown by those subject to his church, and that his suffragans, who have said See's favor and common assent, perform the duty of consecration. Those who refuse, *etc.* Not withstanding the aforesaid election, which is null, or the constitution of the Council [Lateran IV, #9] or the constitution against it that was written, as is said, by Pelagius of good memory, the bishop of Albano, at that time legate of the Apostolic See in those parts, even if it was confirmed by the same See afterwards. Given at the Lateran, the fifth Kalends of March, in the eleventh year.

23

Pope Innocent IV to the papal legate Eudes of Châteauroux, cardinal-bishop of Tusculum, Rome, the Lateran, 6 March 1254 [*Cartulary* #93].

[1] Concerning the limiting of the Greeks' rites and the manner and form that are to be observed in [clerical] orders and in the sacraments of the Church.

[2] Bishop Innocent, servant of the servants of God, to his venerable brother [Eudes], the bishop of Tusculum, legate of the Apostolic See, greetings and Apostolic blessings. More than all other things that to our mind are desirable, we prefer that all people live and progress within the profession and worship of the Catholic faith. With all our heart we wish this as the thing most welcome, and, anxious for this, we aspire to it with our deepest emotions as our special task for salvation. This union or connection, I say, would pour the perfume of inestimable joy into our heart, if by the observance of the same faith it united the various nations of peoples into one people that is pleasing to Christ. Of course it would cool the heat of our worried mind, by refreshing it with abundant joy, if the spiritual governance of one pastor would make firm and by his care fortify into one single community all those whom the Lord's sheepfold once gathered into one Catholic flock, since many have departed from it. Oh! if the One who Rises from on high shone on those who live in the land of the rising sun and returned them to the Catholic unity by the illumination of His light, so that, when they are gathered with the other Orthodox in the middle of a single hall, they may drink in the flows of salvific doctrine from the bosom of the Mother Church, then a great and desirable boon would come to the Church herself, then her womb would grow with a double offspring, then a dawn of celestial enlightenment would rise for those of the land of the rising sun, then the Morning Star of Truth would burn bright for them, then the fullness of overflowing joy would burst forth throughout the whole Church, then the entire world would glow with abundant exultation, because it would be something intensely good and pleasant for brothers to inhabit together the house of the Lord: then the same Church, increased by happiness, would resound with the song of the new delight.

[3] Yet because some of the Greeks have for some time returned to their duty to the Apostolic See, and are heeding and obeying it reverently, it is both fitting and expedient to tolerate their rites and usages so far as we can before God, to retain them in their obedience to the Roman Church, although on those points that appear dangerous to their souls or where we cannot do so with integrity, we neither ought nor wish to defer to them in the least bit.

[4] However, through your letter you notified us fully and prudently that discord and disorder had arisen between our venerable brothers the archbishop of Nicosia and his Latin suffragans, on the one hand, and the Greek bishops of the Kingdom of Cyprus, on the other, concerning certain issues. You notified us

of the tenor of those issues and the same Greeks' responses to them, so that we could be better informed about these matters, anxiously asking us to take care to deal with this with Apostolic diligence. When we received this letter affectionately, together with our brothers we read through and understood the text, the issues, the responses, and the other things that were contained in them. We commended your prudence in the Lord many times, and we reflected on and deliberated concerning these matters, as was required by the nature of the subject.

[5] And so concerning these matters, our deliberation decided that the Greeks of that kingdom are to hold and observe the way of the Roman Church in the unctions that occur during baptisms. But their rite or custom that they are said to have whereby they anoint the whole body of those to be baptized, if it cannot be abolished or removed without scandal, it should be tolerated, since whether it occurs or not it has little to do with the efficacy or effect of Baptism. Nor does it matter whether they baptize in cold or hot water, since they are said to insist that baptism has the same force and effect in both.

[6] Only bishops are to confirm those who have been baptized with the chrism on their foreheads, because this type of unction must only be done by bishops, since we read that only the apostles, whose positions the bishops hold, conferred the Holy Spirit with the laying on of hands, which Confirmation, or the chrismation of the forehead, represents.

[7] All individual bishops can make the chrism in their churches on the day of the Last Supper, in accordance with the Church's procedure. Of course [the chrism] is of balsam and olive oil, for the gift of the Holy Spirit is conferred in the unction of the chrism, and we read that the dove, which designates the Spirit itself, brought back the olive branch to the ark [cf. Genesis 8.11]. But if the Greeks wish to observe their old rite for this instead, namely that the patriarch along with the archbishops and his suffragan bishops make the chrism together, they are to be tolerated in their custom.

[8] However, no unction is to be performed on anyone by priests or confessors solely for the satisfaction of penance.

[9] Extreme Unction is to be given to the sick, according to the words of the Apostle James [James 5.14-15].

[10] Furthermore, in the use of water in the sacrifice of the altar, whether cold or hot or warm, the Greeks are to follow their custom if they wish, as long as they believe and assert that the observed form of the canon is equally conferred with each.

[11] But they are not to keep the Eucharist that is consecrated on the day of the Last Supper for one year on the pretext of the sick, namely so they give communion to them from it. Nevertheless they are to be allowed to prepare the Body of Christ and to preserve it for fifteen days for the sick, and not for any longer span of time, in case perhaps its species are changed because of its long preservation and it is rendered less fit for consumption, although its truth and efficacy always remain completely the same, nor do they disappear over any duration or change of time.

[12] Concerning the celebration of solemn offices and other masses and the time of celebrating them, as long as in the confection and consecration they observe the form of the words that the Lord expressed and handed down, and as long as in celebrating them they do not run past Nones, they are to be permitted to follow their custom.

[13] Priests are to say the canonical hours in their own way, but they should not presume to celebrate Mass before they complete the office of Matins.

[14] Those who are to be promoted to the priesthood and priests who are to be charged with the administration of churches should be examined diligently beforehand, especially as to whether they have been instructed sufficiently about performing the canonical hours and the offices of masses according to the different seasons, so that only worthy and suitable men are admitted to this [charge].

[15] Additionally, every priest should make the sacrifice in a gold, silver, or at least tin chalice, wear a corporal of bright white linen, and have the altar covered with clean vestments or fitting trimmings.

[16] Women should not dare to serve at the altar, but they are to be completely excluded from its service.

[17] Concerning fasting on Saturday during Lent, although the Greeks would act more honorably and salutarily if they were to abstain for the whole time such that they did not violate the established fast even for one day, they are to maintain and observe their custom as they wish.

[18] Also, married priests and others to whom their bishops commit the care of parishes or the direction of parish churches can licitly and freely hear the confessions of their parishioners, and enjoin penance on them for their sins, because it very much belongs, and is hardly fitting to deny, what is lesser to someone to whom what is greater is granted.

[19] Bishops are to be free to have other worthy men as assistants and aids for hearing confessions and imposing penances and doing the other things that pertain to the health of souls, and to assign to them their duties in their dioceses without prejudice or harm to their priests, since because of their many occupations and various circumstances it would happen that they are not able to carry out their duty themselves in the dioceses.

[20] But concerning the fornication that an unmarried man commits with an unmarried woman, since it is a mortal sin, it is not to be accepted at all, because the Apostle asserts that both fornicators and adulterers are outside God's kingdom [cf. Galatians 5.19].

[21] In addition we wish and expressly command that from now on the Greek bishops are to confer seven orders according to the manner of the Roman Church, since until now they are said to have neglected or passed over for those to be ordained three of the minor orders. But those who have already been ordained by them in that way are to be allowed to remain in such orders, because of their great multitude.

[22] Because according to the Apostle [cf. I Corinthians 7.39] a woman whose husband is dead is unbound from him, and has the free faculty to marry in the Lord whomever she wishes, the Greeks are not to reprehend or condemn to any extent second, third, and even more marriages, but rather they should approve them between people who otherwise are able to be joined together in matrimony licitly. Priests shall, however, by no means bless those who are marrying for the second time. And since it has been the custom among them to contract marriages between people who were related to each other in, according to their calculation, the eighth degree, which for us, according to the computation and distinction of degrees that we make, is considered the fourth degree, we firmly forbid them from presuming to do this from now on, strictly ordering that whereas marriages may licitly be contracted in higher degrees, they are not to presume to marry within the aforesaid fourth degree of consanguinity or affinity anymore, observing the statute of the General Council [Lateran IV, canon 50] on this matter. However, we allow by dispensation those who have already contracted marriages within this degree to remain in the marriage thus contracted.

[23] Next, in the Gospel [cf. Matthew 12.31; Mark 3.29] the Truth asserts that if someone should blaspheme against the Holy Spirit, it will not be forgiven him, either in this world or in the future world. By this it is given to understand that some sins can be relaxed in the present world, and some indeed in the future one. And the Apostle [I Corinthians 3.13, 15] says that “the fire shall try every man’s work, of what sort it is,” and “if any man’s work burn, he shall suffer loss, but he himself shall be saved, yet so as by fire.” The Greeks themselves are said to believe and affirm truly and without doubt that the souls of those who die having undertaken penance, but not having finished it, or of those who die without mortal sin, but rather with venial and small sins, are purged after death and that they can be helped by offerings to the Church. But they say that their doctors did not indicate the place of this purgation to them with a certain and proper name, whereas we call it “Purgatory,” in accordance with the traditions and the authorities of the Holy Fathers. Therefore, we wish that they also call it by this name from now on. For sins are purged in that transitory fire, not only criminal or capital ones that have not been previously remitted by penance, but also little and small ones, which burden us even after death if they are not relaxed in life. If, however, someone dies in mortal sin without penance, without any doubt he will be perpetually tortured by the torments of eternal Hell. But the souls of children after the cleansing of baptism and of adults who died in a state of Grace, who are not held either by sin or for any satisfaction for sin, fly immediately to the eternal Kingdom.

[24] Finally, we command that the Greek abbots and monks inviolably observe the Holy Fathers’ ordinances and regular laws concerning the life and situation of monks.

[25] Accordingly, through an Apostolic letter to you we command and urge your fraternity attentively to make known all of what has been said above to the Greek bishops of the aforesaid kingdom in due order and diligently, and to

strictly enjoin on them to take care to consider them carefully, hold them diligently, and observe them effectively, and to make their subjects observe them. However, by our authority we firmly command that the aforementioned archbishop of Nicosia and his suffragans are not in any way to disturb nor to harass the Greeks in connection with these matters contrary to this provision and determination of ours, restraining those who refuse by the same authority, appeal put aside. Notwithstanding if the Apostolic See has granted to the aforesaid archbishop and suffragans or anyone else that they cannot be put under interdict, suspended, or excommunicated by Apostolic letters not making full and explicit mention, word for word, of this concession. Given at the Lateran, the second Ides of March, in the eleventh year of our pontificate.

24

Pope Alexander IV to the Greek and Latin bishops of Cyprus, Naples, 13 January 1255 [*Cartulary* #7].

He orders the Greeks to obey the archbishop of Nicosia.

Bishop Alexander, servant of the servants of God, to his venerable brothers the suffragans of the Nicosia Church, both Greeks and Latins, greetings and Apostolic blessings. The equity of reason urges, and the integrity of pontifical dignity demands, that you must follow our venerable brother the archbishop of Nicosia with brotherly affection, and, along with those who are subject to his metropolitan rule, revere him. Thus we ask, warn, and urge your fraternity attentively, ordering you through an Apostolic letter to show the obedience and reverence due to the same archbishop as your metropolitan, to observe and have observed by your subjects his justly applied sentences, and to assist him and his church favorably in their needs, out of reverence to God and the Apostolic See, thus fulfilling our prayers and our order, so that the readiness of your righteousness is held to be worthy of praise, and so that a show of special grace might proceed from us, who will hold this to be truly gracious of you. Given in Naples, the Ides of January, in the first year of our pontificate.

25

Bulla Cypria: Pope Alexander IV, for the record, Anagni, 3 July 1260 [*Cartulary* #78].

[1] Concerning Alexander's arrangement between the Latins and Greeks.

[2] Bishop Alexander, servant of the servants of God, for the future record of the

matter for all time. The reverence for justice stretches forth widely when the noise of quarrels, which breaks up unity and injures charity, is cut off by the silence of peace. For this reason in controversies – especially where those who disagree are churchmen who are supposed to be calm with each other because they must be peace-makers between others – it is fitting for the enthusiasm for judicial prudence to be especially vigilant to reconcile disputes within the ties of love. For the religion of Catholic unity does not advance through the severity of the furious spirit, which frequently overturns the state of things and erodes solidity, nor in the commotion of feuds, which very often arise from lawsuits. Rather it is in the whisper of a slight breeze, that is, in the appeasing softness of the gentle spirit, that the hot-blooded animosities of bickerers is mitigated.

[2] When our venerable brother Germanos, the archbishop of the Greeks of the Kingdom of Cyprus, and the procurators of our venerable brother the archbishop of Nicosia were in our presence, the same archbishop of the Greeks reported to us that, with their metropolitan see vacant, the bishops of the Greeks of the aforesaid realm had obtained permission via a letter from our predecessor, Pope Innocent of happy memory, to appoint the same Germanos or another suitable person as archbishop, notwithstanding the regulation of the General Council [Lateran IV, #9] or that of Pelagius of good memory, the bishop of Albano, who was once the legate of the Apostolic See in those parts. Therefore, they elected the same Germanos as their archbishop. Our predecessor ordered our venerable brother the bishop of Tusculum, who was then legate of said See in the same areas, to apply the grace of confirmation on him whom the aforesaid bishops canonically elected, if he were a suitable person, and to have him consecrated by his suffragans. He confirmed the election of the same Germanos when it was presented to him, he had the boon of confirmation applied to [Germanos] by the same suffragans, and when afterwards he had received the solemn promise of obedience in the name of the Roman Church both from [Germanos] and from the suffragan bishops, said suffragans promised canonical obedience to [Germanos] as their metropolitan.

[3] But when the same Germanos was in peaceful possession of the archiepiscopal rank, exercising his metropolitan authority over the clergy and populace of the Greeks of the aforesaid kingdom, the aforementioned archbishop of Nicosia was not content to stay within his own boundaries, since he did not obtain the power of any jurisdiction either over [Germanos], who recognized no other superior than the Roman pontiff, nor over [Germanos's] subject Greeks of the aforementioned kingdom. He summoned [Germanos to come] to his presence personally to answer concerning certain charges about which, as he said, he was planning to hold an investigation against him. The same Archbishop Germanos did not obey the command of this summons, nor was he even bound to do so, and he placed himself, his church, and the Greeks subjects to him – for whom said archbishop of Nicosia had already caused many difficulties – under

the protection of the Apostolic See. Therefore, after the appeal to the same See was made in this way, and after the same Archbishop Germanos undertook the journey to come to our presence because of this, the same archbishop of Nicosia violently expelled from there the vicars [he had left] in his place. With various oppressive measures and forfeitures he made great efforts to turn [Germanos's] subjects away from obedience to him. He de facto relaxed the sentences of excommunication that the same Archbishop Germanos had, for good reason, directed against some of these same subjects, and, as is said, pronounced a sentence of excommunication against the person of [Germanos]. He caused many troubles for Archbishop Germanos and his church, on account of which he complains that he incurred many expenses and heavy losses.

[4] Because of this the same Germanos petitioned from us, among other things, that we take steps to check the injuries that said archbishop of Nicosia did to him, and to restrain the same Nicosia [archbishop] from these and similar undue usurpations of power over the Greeks and of rights that apply to them concerning tithes and other things. Now in the presence of the aforementioned bishop of Tusculum, whom we had named auditor in this controversy, the aforesaid procurators alleged that the same archbishop of Nicosia was never summoned by man or law court, nor were they themselves sent by him for this case but rather on other business, and so they were not obliged to undergo a trial with Germanos, the Greeks' archbishop, over the aforesaid issues. Nevertheless afterwards, on our special orders, the same auditor compelled them to respond to [Germanos's] petitions for the archbishop of Nicosia, so that the archbishop of the Greeks would not appear to lack the fullness of justice because of some subterfuge.

[5] Therefore they proposed in the trial that the process concerning the promotion of the same Germanos was void, since the right of electing the archbishop did not pertain in any way to the aforementioned bishops, and at the time of the election, which they are said to have done de facto, they were bound publicly by the chains of excommunication, so the Apostolic letter in which the aforesaid license to elect was permitted to them was procured by excommunicated men. For these reasons, since the archbishop of Nicosia was absent at the time, his vicars made an appeal on his behalf for the right of the Nicosia Church, so that the matter would not proceed to [Germanos's] election, or confirmation, or consecration.

[6] Furthermore, by the authority of Pope Celestine of happy memory, our predecessor, who offered the Latin Catholics the island of Cyprus for occupation because of the disobedience and treachery of the Greeks who were then living there, four pontifical sees of Latins were erected there, the Greeks' sees having been expelled. The pontiffs of these sees took over the tithes and other ecclesiastical rights that the Greek bishops had had on the island. The same Celestine put one of these sees, namely that of Nicosia, in front of the others in

terms of power, so that it would surpass the other sees in all the island by its metropolitan authority. Afterwards said bishop of Albano, by the authority of his legation, decreed – and the Apostolic See confirmed what he decreed – that there would only be four Greek bishops in the whole island, and they would have the locations of their sees fixed within the dioceses of the Latins. Of course afterwards the [Greek bishops] bound themselves with the chains of obedience to the archbishop of Nicosia as their metropolitan and to the Latin bishops in whose dioceses they were established. Therefore, it is plainly obvious that no metropolitan other than the archbishop of Nicosia was able to be or should have been ordained in the same island, which is one province.

[7] Therefore, the aforesaid procurators sought, among other things, that we declare that a prejudice was done to the Nicosia Church surrounding the ordination of the aforesaid Germanos and that whatever had occurred afterwards because of him or for his sake had no force, and [they sought] that we prevent the same Germanos from attempting anything in Cyprus related to archiepiscopal rights.

[8] Finally, when the case concerning these matters had been contested, and after many charges and responses to them had followed, and numerous clauses had been recorded to prove each side, based on these signs from the trial, the expenses of the litigation seemed to be stretching for a long time. Thus said Archbishop Germanos humbly begged us to consider the poverty of the Church of the Greeks, so that it would not be torn apart by so many evasions and oppressed by so many hardships, and to take the responsibility to provide for its condition and tranquility through a beneficial arrangement of Apostolic disposition, by which the grumbling of the quarrelers would fall silent, and the Greeks of the aforesaid realm would lead a peaceful life with the Latins under the obedience to the Roman Church.

[9] No wonder the Churches of the Latins and Greeks of that kingdom wavered, being shaken by the storms of various altercations which, as we reckon, the uncertainty regarding the limits of the hierarchy of powers was bringing, in addition to the fact that a diversity of bodies and a dissonance of mores tend to generate disagreement in the interaction of nations who live together with different rites of religious observance. Because of the office apostolically assigned to us, we both are responsible for and desire peace for dioceses both far and near. Therefore, intending to take steps diligently so that the aforesaid Churches are straightened out with a firm mutual order and so that they may rejoice in mutual peace in Christ, we shall ensure that it turns out to their well-being, calming their disputes with judicious advice for a peaceful settlement that will be established with the sword of judicial decision.

[10] Thus with the legal disputes of the [two] parties, the complicated entanglements of the subtleties, and the commotion of the arguments often going on endlessly, we demanded the advice of our brothers. With the

aforementioned Germanos, the Greeks' archbishop, and our venerable brothers Nilos of Solea, Joachim of Karpasia, and Matthew of Lefkara, the bishops of the sees of the Greeks of Cyprus, and also the aforementioned procurators of the archbishop of Nicosia in our presence, with the plenitude of Apostolic power we decree by the present ordination and indisputably ordain by perpetual decree, for the peace of each Church, concerning the above-mentioned issue and others that could generate a contentious matter for dissent between them in the future, [the following]:

[11] That from this time forth on the island of Cyprus there will be only the four pontifical sees and cathedral churches of the Greeks, inside (*infra*) the dioceses of the Latin bishops, under the archdiocese (*metropoli*) of Nicosia, which the aforesaid bishop of Albano marked out in specific places, since only four episcopal sees and churches of Latin pontiffs are recognized to exist on the same island. In fact we want there to exist one pontifical see of the Greeks in the Nicosia diocese at Solea; another in the Paphos diocese at Arsinoe; the third in the Famagusta diocese at Karpasia, and the remaining one in the Limassol diocese at Lefkara. And [we want] the pontiffs that will obtain these sees canonically according to the circumstances to be named by these [locations] and to have both the name and the rank of the pontifical office.

[12] Next, whenever it should happen that any of the aforesaid sees of the bishops of the Greeks becomes vacant, when the grace of the Holy Spirit has been invoked, another cleric of the same see should be elected bishop. The Latin pontiff within whose diocese this see lies is, by his regular authority, to confirm his election rightly and without difficulty, if he finds the election to have been done canonically of a suitable person. And he is to have the Greek bishops of the neighboring dioceses, whom the same Latin pontiff will summon for this purpose, perform the service of confirmation. By his own authority he will entrust to [the new Greek bishop] the episcopal burden and the care of the Greeks' monasteries, churches, clergy, and people that are in his city and diocese, and he will receive from the same [Greek bishop] a profession and oath of obedience in this form:

[13] "I, the bishop of Solea of the diocese of Nicosia, from this time forward will be faithful and obedient to Saint Peter and to the Holy Roman Church, and to my lord Hugh, archbishop of Nicosia, and to his successors canonically entering [service]. I will not in intent nor in deed aim that they lose life or limb or that they be held in wicked imprisonment. I will not make known to anyone, in order to harm [Hugh and his successors], any design that they reveal to me directly, or by messenger, or by letters. I will assist in defending and maintaining the papacy of the Roman Church and the episcopal primacy of the Nicosia Church and the rules of the Holy Fathers

against all men, except for my position. When called to a synod I will come, unless I am hindered by a canonical impediment. When I recognize the legate of the Apostolic See with certainty, I will treat him respectfully in going and returning, and I will assist him in his needs. So help me God and these God's Holy Gospels."

[14] And every Latin bishop of the Kingdom of Cyprus, for himself and for his church, will receive this formula from the Greek bishop of his diocese. And if the Latin pontiff should find that the election ought to be invalidated, he shall proceed to its annulment, just as he should proceed by law. The Greek bishops who are summoned by the Latin pontiff for the consecration of the Greek who has been elected are obliged to come together for this purpose without delay, based on the obligation of the present regulation and arrangement, and to fulfill the duties of consecration that apply to them.

[15] However, the condemnation or deposition of Greek pontiffs, just as their transferal or resignation, is reserved for the Roman pontiff alone, in accordance with the privileges of Apostolic prerogative, so that for these, just as with all the other bishops, the position and excellence of their pontifical dignity might be protected.

[16] And the Latin pontiff should not presume to appoint a bishop (*presulem*) to a vacant pastoral position of any church of the Greeks, except perhaps when those who were supposed to elect someone to the position are negligent [in doing so], and the faculty in turn of arranging for a pastor for the church has devolved on him through the lapse of three months' time, according to the statutes of the General Council [Lateran IV, #23]. And in that case the Latin pontiff should not have the power of appointing to the vacant church anyone except a Greek person who corresponds in merit to the great dignity and burden [of the office]. The dean and chapter of a vacant Greek see should protect the possessions of the see faithfully and confer them on the future bishop.

[17] Furthermore, the bishops of that island who have been canonically ordained in the aforesaid sees of the Greeks and also those who will be ordained are to have and to obtain, in the monasteries, churches, clergy, and people entrusted to him, everything that is known to pertain by common right to the office of episcopal rank or order. The Latin bishops should usurp none of this except only in those cases where the metropolitan can legally exercise jurisdiction over the subjects of his suffragan.

[18] Lawsuits pertaining to the ecclesiastical courts shall be judicially divided: if they arise between Greeks, they should be brought to their pontiff, but if they arise between a Latin and a Greek, whether he is the plaintiff or the defendant, they should be brought to the Latin pontiff of the place. Further, preserving the preeminence of the Apostolic See, to whose protection all oppressed people can have recourse directly, when an appeal is made against a

Greek bishop, it should be referred to the Latin bishop in whose diocese the same Greek bishop resides, and from there to the archbishop of Nicosia if necessary.

[19] By the present ordinance we also resolve that, in the city and diocese of the Latin pontiff, there should be no consistory of ordinary jurisdiction among the Greeks other than the consistory of the episcopal see of the Greeks (and the auditory of an official or vicar – if the Greek bishop has one – is considered to be one and the same as this), except perhaps if in any church of the Greeks of that kingdom there should be an archdeaconate or other rank having attached to it from ancient times a consistory of ordinary hearing, from which its subjects of the same church can appeal to the Greek pontiff and then on up when it is important to them.

[20] Finally, for offenses or injuries to them and their churches, and for their rights and those of their churches, we want the Latin archbishop and bishops to have the power to punish canonically the Greeks of their cities and dioceses, in those cases where by right the power over the Latins belongs to them.

[21] Once a year, along with his abbots and the priests who have the care of souls, the Greek bishop is obliged to attend the synod of the Latin pontiff in whose diocese he has his see, and to accept and observe its synodal decrees which do not oppose the rites of the Greeks that are not against the Catholic faith and are tolerated by the Roman Church. But so the Greek bishops are not weighed down by a double burden, we resolve that they are not to be forced to go to the provincial council, since by their obligation according to this regulation they have to go to the episcopal synods of the Latin bishops.

[22] With respect to the visitations of the Greek bishops and their subjects, we also want the Latin pontiffs to have, within their own cities and dioceses, the power that the canonical decrees concede to metropolitans in the visitations of their suffragans and subjects. But when by diocesan right the Latin archbishop and bishops make a visitation of their dioceses with respect to the Greeks, we impose on them this control of moderation in exacting procurations: that each year from the Greeks of their cities and dioceses the same archbishop should receive a total of only five procurations, the bishop of Paphos four, of Famagusta three, and of Limassol three also. Each of these procurations should not exceed the sum of thirty livres Tournois, or the amount of bezants that equals the same sum. Although considering the poverty of the Greeks we have directed that the number of procurations that are owed because of visitation is to be controlled, nevertheless, because the goods of [the Latin bishops'] churches have been conceded to the Latin bishops for this purpose, namely that they may be able, without fail, to perform those things that pertain to the duty of their office, we want them to visit the Greeks more frequently, if the necessity of Orthodox faith, or the sincerity of the obedience that is owed to the Roman Church, or the discipline of morals requires, at their own expense in connection with the duty of visitation, without any burden to the Greeks concerned. But when the rules of the holy canons permit it, the Greeks are obliged to pay it to them, since the

Apostle Paul, the model of our arrangement, also asked for his livings by manual labor sometimes, so that he would not be a burden on those to whom he was preaching the Gospel, or so that those troubled with the expense of the minister's preaching would not be deprived on account of the ministry of salvation.

[23] Of course the right to receive tithes in the aforesaid island should belong to the churches of the Latins. In collecting these tithes, the custom that the Latin prelates and clerics obtained and have kept until now is to be observed. And since we are saying that the custom is to be observed in that place, no one should consider himself exempt from the payment of the tithes that are owed according to divine and canon law.

[24] Further, although according to this arrangement the Church of the Greeks of the Kingdom of Cyprus shall not have a metropolitan of their nation in the future, we want the aforesaid Germanos, the archbishop of the Greeks, to have the title and honor of the archiepiscopal rank as long as he lives. Because of this, until he resigns or dies, we completely exempt his person from any power of the archbishop of Nicosia. And we establish that when Germanos himself resigns or dies, from then on no one shall be ordained archbishop of the Greeks in the kingdom.

[25] But so that the same Archbishop Germanos does not roam without a fixed see, we have, with the fullness of Apostolic power and with the counsel of the aforesaid brothers, absolved said Nilos, the bishop of the see of the Greeks that is in Solea of the Nicosia diocese, from the chain that binds him to his church, by transferring him to the episcopal see of the Greeks at Arsinoe of the Paphos diocese, which is now vacant, and by giving him leave to go over to that see freely. With the same power and counsel, we commit the aforesaid see and church of Solea, both in spiritual and temporal matters, to said Archbishop Germanos, to be governed with the title and honor of the archiepiscopal rank, which he will always retain. Nevertheless, we want the Greeks' church of Saint Barnabas of Nicosia to belong to the bishop of the same see as a perpetual benefice of this arrangement, so that Germanos is free to stay either in the said see of Solea or at the church at his pleasure.

[26] But after the archbishop resigns or dies, just a simple bishop of the Greek race shall be proposed as a substitute in the see of Solea, whenever it is vacant. He is to be subject to the archbishop of Nicosia in the way that the other Greek bishops must be subordinate to the Latin pontiffs, according to the provisions of the present arrangement.

[27] While he is in charge of the see committed to him, we also want the aforesaid Germanos, archbishop of the Greeks, to have the same power over the monasteries, churches, clergy, and populace of the Greeks of the city and diocese of Nicosia as the other bishops of the Greeks of the Kingdom of Cyprus are allotted over the Greeks subject to them by the provisions of this arrangement.

[28] Otherwise, while the archbishop of the Greeks lives or retains the office

of archiepiscopal rank, so that his and the Latin pontiffs' power over the Greeks with respect to the carrying out of archiepiscopal rights is divided, in order to remove cause for altercation, we establish and decree that while the same Germanos, archbishop of the Greeks, lives, by the decree of this arrangement, without contradiction from the Latin pontiffs, he shall by metropolitan authority freely although canonically promote to sacred orders the Greeks of Cyprus who have been elected or who will be elected bishop and who have been confirmed by the Latin pontiffs in whose dioceses they are, and he shall consecrate those who have been promoted and summon the other Greek bishops of the same kingdom for executing the duty of this consecration. And by the same authority he should carry out the duty of visitation with respect to all the Greeks of the same kingdom, when by law it should be applied. And in these visitations or in those things that pertain to him by reason of visitation, he should have the faculty that the holy canons concede to metropolitans. And during his lifetime the Latin archbishop and bishops should in no way involve themselves against his will in those matters which, just as other rights, will pertain to them after the resignation or death of the same Greek archbishop according to the decree of the present arrangement.

[29] However, in other cases of the archbishop of Nicosia and Latin bishops, from which the Greek archbishop is to abstain, this does not affect the power over all the Greeks of the said kingdom that the arrangement of this ordinance of ours attributes to the archbishop of Nicosia by reason of the metropolis, and to both him and the other Latin bishops by reason of their dioceses.

[30] Naturally, while said archbishop of the Greeks lives, just as afterwards, the Latin archbishop will obtain, in appeals and other matters, every jurisdiction over the Greeks (except the person of the aforesaid Archbishop Germanos) of the city and diocese of Nicosia that this ordinance has conceded to the other Latin bishops of the aforesaid kingdom over the Greek bishops, clerics, and others of their cities and dioceses. But although until the same Archbishop Germanos resigns or dies we want his person to be exempt from the power of the Latin archbishop, nevertheless the same Archbishop Germanos shall make a profession and oath of obedience to the Latin archbishop in the name of the see of Solea that has been committed to him, according to the form written above, so that the observance of the present arrangement begins with him. But we do not want the Latin archbishop to have, on the basis of this profession of obedience, the faculty of punishment over the person of the same Archbishop Germanos or of enjoining anything on him in any case whatsoever, so that he may enjoy undisturbed the full freedom of exemption that this ordinance has conceded to his person alone. But if there should be an appeal against the aforesaid Germanos, archbishop of the Greeks, it shall be appealed to the Latin archbishop, without disregarding the prerogatives of the Apostolic See.

[31] Later, when after the aforesaid Archbishop Germanos' resignation or death the archbishop of Nicosia visits the Greeks of his province [and] in the

cities or dioceses of his suffragans by the right of his metropolis, which we want to belong to him, he should receive in each city and diocese only one procuration annually from all the Greeks collectively, which should not exceed the sum of sixty livres Tournois or as many bezants as equal that amount.

[32] Therefore, by the power of both, that is, of the Latin and Greek pontiffs of the Kingdom of Cyprus, by the discretion of this arrangement of ours, which we extend to the Syrians of the same kingdom who from ancient times have observed the same practices, rites, and the ecclesiastical justice of a common law as the Greeks, we order by the authority indicated at the beginning and end of this present document that neither side shall presume to overstep the terms of our decision or demand for himself greater preference or liberty. Rather by the coherence of unanimity and the hierarchy of administration the members of each together should become the same body with the same head in Christ, who is the True Peace of all men. Amen.

[33] I, Alexander, Bishop of the Catholic Church, have signed.

I, Eudes, Bishop of Tusculum, have signed.

I, Stephan, Bishop of Palestrina, have signed.

I, Brother John, Cardinal-priest of San Lorenzo in Lucina, have signed.

I, Brother Hugh, Cardinal-priest of Santa Sabina, have signed.

I, Richard, Cardinal-deacon of San Angelo, have signed.

I, Octavian, Cardinal-deacon of Santa Maria in Via Lata, have signed.

I, John, Cardinal-deacon of San Nicola in Carcere Tulliano, have signed.

I, Otto, Cardinal-deacon of San Adriano, have signed.

[34] Given in Anagni, by the hand of Master Jordan, the vicechancellor and notary of the Holy Roman Church, on the fifth Nones of July, Indiction two, in the year of the Incarnation of the Lord 1260, in the sixth year of the pontificate of our Lord Pope Alexander IV.

26

Pope Urban IV to Archbishop Hugh of Fagiano, Viterbo, 3 January 1263
[*Cartulary* #79; similar to *Cartulary* #11].

[1] Approval of the regulation that the archbishop can act against Greek and Syrian clerics in certain cases.

[2] Bishop Urban, servant of the servants of God, to his venerable brother the archbishop of Nicosia, greetings and Apostolic blessings. The inestimable magnitude of Celestial Counsel, for Whom no advisor exists, Whose providence in arranging things does not fail, established with marvelous order and, with an

ordered stability that is to be marvelled, confirmed a prelate of the Church Militant. For He erected it “upon this rock” of nascent faith, and, committing the authorities of celestial and earthly supremacy to the Blessed Bearer of the Keys of eternal life and his successors in this, He wanted him to have the power of both swords, so that he would freely seize that spiritual power in itself, he would wield the spiritual sword as he saw fit, he would strike with it prudently, and he would wound medicinally for health. But he would have the temporal sword put back in the sheath so that it would bared for his will and for the authority and administration of secular power, when expedient. Nor should this diversity of roles of these swords be in conflict with itself in any adversity, but helped by the judgment of each other and encouraged by the mutual support of each, in the defense of justice by its due execution, agreeing to a vow of harmony, it shall do the work of justice and bear fruit, spawning peace, fostering concord, and nourishing unity.

[3] Therefore, since although unworthy we are the successors of Peter and the vicars of Jesus Christ, since God made us the watchmen over His house, we are compelled by the urgent necessity of our office to stand on the watchtower by day and to be on guard every night, to be on the lookout in all directions for every single thing that can be spotted, so that we might announce whatever we see and make ourselves the rampart for the Lord’s house for those climbing in the wrong direction. Sometimes we give directions to those who stray and call them back with threats, sometimes we reprove those who sin with the punishments that are due and restrain the audacity of sinning, as is expedient. For this purpose we ourselves occasionally exercise this power that, as it pleased the Most High, was committed to us from on high, but sometimes when it is required we delegate His ministry to others, so that through ourselves and through others we might strive to discharge His ministry of unconquered servitude. We protect all the churches and every single church, whose general care falls on us, and their liberties and rights, with the garrison of prompt defense to which the Nicosia Church comes to ask the judgment of our diligent concern the more eagerly the more it is disturbed, and the more harmful the molestations that bother it and the harms that molest it. For it feels, as is asserted, the stings of recurring passion, and it experiences the harassment of new burdens.

[4] Although the cause of upheaval on various issues between the Latins’ churches and those of the Greeks of the Kingdom of Cyprus, which existed from the time that churches of the Latins were established in that kingdom by Apostolic authority until modern times, was terminated by the arrangement of Pope Alexander of happy memory, our predecessor, with the fullness of Apostolic power, nevertheless some people, both ecclesiastics and seculars, namely Greeks and Syrians of that kingdom, go against this arrangement by their own rashness, as is said. They not only refuse to observe it as they are obliged, but they even arrogantly heap abuse on you and the churches of the Latins to which they were subject and obedient beforehand, as is related. They

are not afraid to make conspiracies and pacts to your and to those churches' injury with damnable presumption, annulling rights, honors, and ecclesiastical freedom and immunity, as much as they can, with all their power.

[5] And several men of the city and diocese of Nicosia, both clerics and laymen, put aside the fear of God and let loose the reins for wicked deeds, as is said. Some of them are polluted with their public adulteries. Others do not hesitate to provoke Christ and his Saints, others to contaminate themselves in blasphemies, others in sorcery, others in games of chance in which they frequently swear and take oaths illicitly, and many in various other outrageous crimes. And what is most detestable, some are not alarmed at perishing with Sodom, accursedly sinking to the bottom of evils.

[6] Because of your office as metropolitan, it falls to you to uproot the aforesaid and other vices and to plant virtues in their place in the field of the Lord that is committed to you. But while you want to proceed to the correction of such things, carrying out the duty of your office, imposing punishments as required by the type of offenses and persons, as far as is proper for an ecclesiastical judge and for the discretion of the pastoral office, the noble man the bailiff of the said kingdom does not realize that only by punishing and forgiving does one act well to correct the life of men. He asserts – and many of the nobles of that kingdom agree with him in this – that this sort of correction of offenses pertains to him, and that you should not involve yourself in correcting them except against your serfs and clerics.

[7] Because your duty concerning this has been impeded by the same bailiff and nobles, not without peril to souls, as long as this jurisdiction is contested, crimes remain uncorrected, the audacity of those committing them grows, the custom of sinning is protected as if it were a law, and outrageous offenses multiply daily. Your office is not only scorned, but also rendered useless and almost completely impotent, so much so that now you seem to be not an archbishop but rather a simple priest, although until now you freely exercised, as is said, all of the aforesaid [rights] as is consonant with the law.

[8] But if the antidote of her healthful arrangement did not succeed in bringing about the benefits of peace and quiet, but rather it fell back into the wastes of the old discord, it would appear that the Roman Church labored in vain in settling the aforesaid disagreements, and new burdens for your church would even germinate. Moreover, we desire the health of the aforesaid bailiff and also the barons and nobles of the aforesaid kingdom, and we neither want to nor should fail in the defense of ecclesiastical liberty. Therefore, at your request we have given the aforesaid bailiff, barons, and nobles a letter that commands most attentively, directing, asking, and urging them to be cautiously attentive, since their power, especially over the Greek and Syrians, can have efficacy and vigor in these matters. They should not fail to apply effectively their hand in assistance, so that the observation of the aforesaid arrangement for tranquillity among the abovesaid Latins, Greeks, and Syrians, can lead to the growth of the

Christian faith in those parts; so that, since the Latins are ready to follow it, the same Greeks and Syrians will observe the same arrangement; so that they are subject to you and obey you, as they are obliged; and so that they desist altogether from plots and conspiracies of this sort; and so that they do not try anything against ecclesiastical liberty. Because the same bailiff, barons, and nobles deny you their assistance in the aforementioned matters that pertain to your office, although wrongly, with the help of their support the aforesaid wicked and dishonest persons, whom God has thrown into the abyss of perdition, are confident in the expectation of impunity conceived against their own salvation. Thus we think that if they are so debauched with unbridled license, their blood will be required by the hands [of the bailiff, barons, and nobles], and the perversion and subsequent subversion of these wicked men, and of others also who are perverted in miserable blindness by their example, will be ascribed not undeservedly to the same bailiff, barons, and nobles. For neglecting to disturb perverse men is nothing but encouraging them. Out of reverence to the same See and to us, they should withdraw completely the hand of their protection from such wicked men. They should extend their appropriate support and effective assistance to you and your vicars to punish the aforesaid wicked men, correct other offenses, maintain your church's rights, and compel your subjects to obey you in all the aforesaid matters and in the others that pertain to your office when they are required of you, especially since the same bailiff is said to be bound by a special oath to maintain and even defend the rights and honors of the churches.

[9] Furthermore, we do not [*reading* "Nolentes"] want the presumptuous rashness of certain people to bring to contempt what the providence of the same See has healthfully established, and we intend to so oppose this rashness of wicked men that their censured perversity does not subvert others by their damnable example. Thus we order your fraternity, through Apostolic writings, to have the aforesaid arrangement firmly observed, with our authority, the obstacle of appeal withheld. And since it is decreed in the law that bishops should investigate, punish, and avenge crimes throughout their dioceses, and, when necessary, summon the help of the secular arm to carry out the duty of the pastoral office, both in the aforementioned matters and also in others that regard the concerns of that office, you are to call upon the same help of the secular arm whenever it is appropriate, restraining with ecclesiastical censure those who refuse or rebel, appeal disregarded. For we will hold firm and cause to be observed inviolably, by the Lord's authority, the sentences that because of this you might bring against those who refuse or rebel, until fitting satisfaction [is made], appeal removed. Notwithstanding if the Apostolic See has granted to any of them that they cannot be excommunicated, suspended, or put under interdict by any Apostolic letters not making full and explicit mention of a grant of this sort and [notwithstanding] any other indulgence of the aforesaid See for which there must be special mention in our letter. Given in Viterbo, the third Nones of January, in the second year of our pontificate.

27

Pope Urban IV to the bailiff of the Kingdom of Cyprus, Prince Hugh of Antioch, Viterbo, 23 January 1263 [*Cartulary* #75].

[1] That the king should help the archbishop against Greeks and Syrians.

[2] Bishop Urban, servant of the servants of God, to his beloved son the noble man, the bailiff of the Kingdom of Cyprus, greetings and Apostolic blessings. As we have heard, a great many Greek and Syrian laymen of the Kingdom of Cyprus, the more they are aroused in rash audacity against the Roman Church, the more patiently the insolence has been tolerated, as if this patience does not bring forth a completion of the offenses, but rather contempt among those who, lacking the light of the intellect like the horse and the mule, do not see that, with the sword of justice whose power the Lord conferred on it via blessed Peter, the same Church can slice through the necks of sinners so that they do not carry their iniquities any further. Because some Greek priests and clerics venerate this Church as the mistress and mother of all the faithful, and receive its healthy doctrine reverently, and acquiesce on this matter to the healthy orders and warnings of our venerable brother the archbishop of Nicosia, behold how the [former] Greeks and Syrians, led by a spirit of wickedness, presume to repel them from their society, proclaim them heretics and schismatics, withhold from them who have been excluded from their offices the customary revenues – which are called offerings – by which they used to be supported, demolish their houses, and uproot their vines. They strip them of their goods and rights, and otherwise afflict them and their churches and families with serious injuries and pressures. They lead them to extreme poverty, so that said archbishop is at times forced by his piety to receive them into his house and give them provisions continually lest the aforesaid priests and clerics appear to be too inhumanly exposed by their persecutors.

[3] Yet although in the face of the audacity of such presumption the same archbishop is said to have cried out to you and our beloved sons the noble men, the barons of the same kingdom, in whose jurisdiction said Greeks and Syrians reside, imploring your and the barons' help on this matter, as is said, his cries did little or no good. It behooves you as a Catholic man and devout son of the aforementioned Church to revere with fitting honor the churches and ecclesiastical persons and especially said archbishop, your spiritual father, and, by the piety entrusted to you, to protect them in their honors, rights, and liberties, and stand with them against anyone for the Catholic faith and the support of ecclesiastical liberty.

[4] Therefore we attentively request, admonish, and exhort your nobility, ordering you through an Apostolic letter, to protect and defend as much as you can said priests and clerics from the aforementioned Greeks and Syrians subject

to your jurisdiction, for our reverence and that of the Apostolic See, and to give with a ready will counsel, assistance, and support to said archbishop, whenever he requires it of you, against the oft-mentioned Greeks and Syrians and others, especially where the business of the faith and ecclesiastical liberty is concerned, so that by this your devotion can be deservedly commended and we are made more disposed to your wishes.

[5] Moreover, we enjoin on the same archbishop, through our letters, that if it is so, he should take pains to restrain the aforementioned Greeks from such rashness, by our authority, by himself or through another, invoking the help of the secular arm for this, if needed, restraining those who refuse with ecclesiastical censure, appeal put aside, notwithstanding if the Apostolic See has granted to any of them that they cannot be excommunicated, or their lands be put under ecclesiastical interdict, by any Apostolic letters not making full and explicit mention of this grant. Given in Viterbo, the tenth Kalends of February, in the second year of our pontificate.

28

Pope Urban IV to the archbishop of Nicosia, Hugh of Fagiano, Viterbo, 13 April 1264 [*Cartulary* #77; similar to *Cartulary* #76 and 81].

[1] Concerning the archbishop's jurisdiction over the Greek and Syrian clerics and laymen in the whole island of Cyprus with respect to certain outrageous crimes.

[2] Bishop Urban, servant of the servants of God, to his venerable brother the archbishop of Nicosia, greetings and Apostolic blessings. Not without many dangers and hardships you came to the Apostolic See and related to us with your own voice how the Greeks of the Kingdom of Cyprus were not only not observing the healthy arrangement by which Pope Alexander of happy memory, our predecessor, is known to have ended the discord over various issues that had lasted a long time between the churches of the Latins and the Greeks, but they even raised their heels against you and said churches of the Latins and with damnable presumption were forming conspiracies and plots to the suppression of your and the churches' rights. Moreover, several men of the city and diocese of Nicosia, both clerics and laymen, put aside the fear of God and let loose the reins for wicked deeds, as is said. Some of them are polluted with their public adulteries. Others do not hesitate to provoke Christ and his Saints, others to contaminate themselves in blasphemies, others in sacrilege, others in games of chance in which they frequently swear and take oaths illicitly, and many in various other outrageous crimes. And what is most detestable, some are not alarmed at perishing with Sodom, accursedly sinking to the bottom of evils.

[3] Because of your office as metropolitan, it falls to you to uproot the aforesaid and other vices and to plant virtues in their place in the field of the Lord that is committed to you. But while you want to proceed to the correction of such things, carrying out the duty of your office, imposing punishments as required by the type of offenses and persons, as far as is proper for an ecclesiastical judge and for the discretion of the pastoral office, our beloved son the noble man, the bailiff, of the same kingdom did not realize that the ecclesiastical and secular powers need to mutually support and encourage each other, and that only by punishing and forgiving does one act well to correct the life of men. He did not permit you to correct and punish these offenses, asserting that this pertains to his court, and that you should not involve yourself in correcting them except against your serfs and clerics. Thus your office was rendered so useless that you seemed to be not an archbishop but rather a simple priest.

[4] You also added to the aforesaid that many other men in the aforesaid kingdom were damnably holding the keys of the Church in contempt, drinking malediction like water. With hardened minds they bore the sentence of excommunication that ecclesiastical persons promulgated against them, not caring to return to the Church's command. Some of them neglected to seek the boon of absolution from this sentence all the way to their death, nor did others avoid them.

[5] Thus, since your presence there failed to do any good, it was necessary for you to make your way to the Apostolic See personally. We sympathized with your sufferings in this matter, and we wanted such sufferings to befall the evil men. So we wrote a letter to said bailiff that stated that, out of reverence to us and to the See itself, he was to withdraw his protective hand from such wicked men, and to render appropriate support and effective assistance to you or to your vicars, when you and your vicars require it, in punishing the aforesaid offenses, in correcting others, in maintaining the rights of your church, and in compelling his subjects to obey you in all the matters mentioned above, which, there is no doubt, pertain to your office, especially since he is said to be bound by oath to maintain and defend the rights and honors of the churches. We also gave another letter to you, ordering you to attend to using a heavy hand against those who show contempt for the keys, however you see as expedient, invoking the secular arm's help for this, if there is need, restraining those who refuse with ecclesiastical censure, appeal put aside.

[6] Afterwards your vicars requested the [help of] the same bailiff, who had received the aforementioned letter that was sent to him, [saying] that if he wanted to obey our orders in those matters that our letters contained he would offer help and support to you against a certain knight who had for a long time born with an obstinate mind the sentence of excommunication brought against him, against which knight you had raised a heavy hand. But he asserted that he had sworn not to lay a hand on his liege man or on his fief without wardship (*sguardio*) or the counsel of his court. And with regard to suppressing the Greeks' presumption

and correcting their and others' crimes, when he was informed that he should assist you against the Greek clerics who were rebelling, in responding he seems to have suggested that he was not able to correct or punish the laymen subject to him, however much they sinned.

[7] Because of this you were again forced to seek Apostolic provision on this matter. You asserted that the oath taken by him, as is asserted, not to lay a hand on his liege man was unable to exempt him from the healthful offering of this help and support, because through it he was unable to honor the aforesaid oath that he is said to have taken to maintain and defend the rights and honors of the churches. Nor should an oath that is opposed to healthful customs and that impedes the effect of ecclesiastical discipline be observed at all. Nor can it even be said that he does not have to help you in correcting and punishing the offenses of Latin and Greek laymen, as if this correction and punishment did not pertain to your office, since he had temporal jurisdiction over them: the Roman pontiff – out of the plenitude of power granted to him via blessed Peter – and the other prelates acting on his behalf can force with ecclesiastical censure each and every Christian among the people committed to his care, no matter what rank, position, or condition he might be, by reason of sin, so that at least the severity of ecclesiastical discipline might force those whom the fear of God does not restrain from evil.

[8] Therefore there is no doubt that it pertains to your office, as you are the specific father and shepherd of souls in the city and diocese of Nicosia, and the general one in the archdiocese, to correct and to punish the aforesaid vices and sins, by imposing punishments, as was said, according to the nature of the persons and offenses, on any cleric and layman, Latin and Greek, of whatever rank, position, honor, condition, or jurisdiction he might be. So, with special benevolence, we are pursuing [the matter] with the same bailiff, as a Catholic son to God and His Church, and with the said kingdom. We know that it befits his honor and health to be found ready and prepared for matters that pertain to the worship of divine justice, the honor of the Church, and the health of souls. We have seen fit to ask and urge him attentively, commanding him by our order to consider that the ecclesiastical and secular powers need to mutually support and encourage each other, and to offer, when you and your vicars request, appropriate support and effective help to you or your vicars, for the name of Christ whose minister you are in that area, and out of reverence to said See and us, assisting in punishing and correcting the aforesaid and other such offenses of every cleric and layman, Latin and Greek, of the aforesaid city, diocese, and archdiocese, in maintaining the rights and honors of your church, in compelling his subjects to obey you, and in forcing or punishing those who hold the keys of the Church in contempt, the aforesaid oath notwithstanding. Then you might proceed more sincerely with paternal affection, and we might be more ready for his and the oft-mentioned kingdom's benefit, and we would not have to concern ourselves with these matters further.

[9] Otherwise, we do not want the right of the Nicosia Church to be neglected as something ungodly, or usurped by any presumption. Since one must not defer to anyone against God, you should be able, on the basis of your office, to invoke such assistance and to employ ecclesiastical censure against those who refuse, if needed. Nevertheless, as you can carry this out more freely the greater the authority we support you with, through Apostolic writings we order your fraternity, in carrying out the duty of your office with the gentleness and modesty of spirit that is required of a pastor according to the prudence that God has given you, to invoke the arm of his assistance in the aforementioned matters, whenever it is appropriate, forcing the same bailiff to offer it to you with the above warning, both by our authority and yours, through ecclesiastical censure, appeal disregarded. Not withstanding if said See has granted to him that he cannot be excommunicated by a letter of the See itself, or that his lands cannot be put under ecclesiastical interdict, unless in the same letter full and explicit mention of a grant of this sort is had, or of any indulgence of the same See through which the effect of our command could be impeded or deferred, and of which there must be special mention in the present letters. Given in Viterbo, the Ides of April, in the third year of our pontificate.

29

Patriarch William of Jerusalem, papal legate, to Bishop Velasco of Famagusta, Lanfranc the treasurer of Nicosia, and canon Bertrand, the vicar of Nicosia, Limassol, 30 January 1267 [*Cartulary* #106].

That tithes come before all other debts, and that someone remaining excommunicate for a year should be forced with the aid of the secular arm.

William, by divine mercy patriarch of the Holy Church of Jerusalem, legate of the Apostolic See, to his venerable father in Christ Velasco, by God's grace bishop of Famagusta, and his beloved sons in Christ Lanfranc, the treasurer, and Bertrand, canon and vicar, of the Nicosia Church, eternal greetings in the Lord. Satisfying your consultations and granting your requests as much as we are able, we respond that, among all the other debts of the deceased, the executors of wills are to be held to pay first, in order of precedence, the debt to God, namely the tithes that the deceased owed to the churches at the time of their death. And if the goods that remain for the aforesaid executors are not sufficient for making complete payment, they should have recourse to the heirs of the deceased, and they should be compelled to paying them canonically. To this end the Syrians that work lands or other possessions in your dioceses are obliged to pay the tithes according to ancient custom and the decision once made between the prelates and the

illustrious queen and other nobles of the Kingdom of Cyprus [1220-2]. Through a sentence of excommunication or other canonical penalty, you shall also compel the Greek abbots, monks, and priests to the obedience to which, according to the Apostolic arrangement made between the Latin and Greek prelates of said kingdom, they are held, by those same prelates [i.e. the *Bulla Cypria*]. But if anyone of the aforesaid persons is bound by you with a sentence of excommunication on account of some manifest case or even because of some manifest debauchery, and if he bears this sentence of excommunication for a year with hardened soul, you are to force the viscount, bailiff, castelain, or prior of the place in which the excommunicate is staying, after forewarning of a similar punishment, to compel the excommunicate to return to the unity of the Church through the seizure of his goods, so that at least temporal punishment coerces those whom fear of God does not call back from evil. Given in Limassol, the penultimate day of the month of January, in the year of the Lord's Incarnation 1267.

30

Open letter of Archbishop Matthew of Caesaria, Nicosia, 26 October 1280 [*Cartulary* #29].

[1] That those who disturb the divine office or shout in it are
ipso facto excommunicated.

[2] Matthew, by divine mercy Archbishop of Caesaria, to all those who will inspect the present letters, eternal greetings in the Lord. All of you should know that we have seen, read, and diligently inspected a certain regulation of Lord Hugh of good memory, at one time archbishop of Nicosia, written in the *Passionario* of this Nicosia Church along with many other regulations of the same lord archbishop and of Lord Eudes of fond memory, at one time bishop of Tusculum, at that time legate in the areas of Outremer, which were promulgated by the same men in the Nicosia Church and put in force there. [We found this regulation to be] sound and whole, not erased, not cancelled, nor corrupted in any part of it. Its tenor is as follows:⁷

[3] "The insolence of lay people has burst forth in such audacity that often they enter the Church of Nicosia while divine offices are being celebrated or during a performance of some pastoral office, and openly shout loudly, and cause no small harm to the prelate, priests, and other clerics and ministers of the church, and to the

7. *Synodicum Nicosiense* A.XXVIII.1.

place itself and the worship of the divine. Lest this insolence gain strength, we decree that from now on, if anyone, be he a lay person or a cleric, upon entering the aforesaid Church of Nicosia, or any other church of our city or diocese where it is fitting to recite prayers and celebrate the divine offices in peace and quiet, should cause any sort of harm to the prelate, priests, and other clerics and ministers of those churches or to those places or the worship of the divine, or should carry on there with loud shouts, objections, or disturbances, he shall incur the chains of excommunication by that very fact. For by the authority of God Almighty we excommunicate him, whoever he may be, along with all those helping him or giving him aid, advice, or support in this matter. And we order that the excommunicate should be denounced publicly until he makes proper amends. We leave to his judges the punishment that such men incur according to civil laws.”

[4] The above regulation was published in a synod by the same Lord Hugh, archbishop of Nicosia, in the Nicosia Church, in the year of the Lord 1253, the fourteenth Kalends of July.

[5] And because, when a diligent collation had been made between the original and this exemplar or transcription written in the hand of Nicholas, the undersigned notary, on our command and authority, we found them both to agree word for word, we saw fit to affix our seal to the present transcript, at the prayers and urgings of the reverend father Lord Ranulph, by the grace of God archbishop of Nicosia, or of master Fulcon, his official, who was specially sent to us. Done and given in Nicosia, in the houses of the discreet man, Lord James, priest of Tripoli, the archdeacon of Caesaria, in which we were staying, in the year of the Lord's birth 1280, on the twenty-sixth day of the month of October, eighth Indiction, in the presence of these witnesses: the religious man Brother Dennis, prior of the Abbey of Bellapaïs (*Episcopia*) of the Nicosia diocese; and John, a cleric, the nephew of the aforementioned Lord Archbishop of Nicosia; and certain others summoned and called for this purpose, who were also present at the aforesaid word for word collation. I, Nicholas of Monte Abano, public notary by the authority of the Holy Mother Roman Church, by authority and order of the aforementioned lord archbishop of Caesaria, transcribed and faithfully copied down word for word the present transcript taken from the original, with nothing added or changed that would change the substance or tenor. And I rendered it in public form and signed it with my sign.

31

Pope Boniface VIII to Gerard of Langres, archbishop of Nicosia, Rome, St Peter's, 27 October 1295 [Delorme and Tautu, *Acta Romanorum Pontificum ab Innocentio V ad Benedictum XI*, #119].

[1] To our venerable brother [Gerard], archbishop of Nicosia. Our venerable brother Berard, bishop of Limassol, of the Order of the Friars Preacher, a professor, made it known to us in his petition that he had gone to the Greek cathedral church of Lefkara in the province of Nicosia, which by the regulation of Pope Alexander IV of happy memory, our predecessor, is subject to the Church of Limassol and the same bishop's jurisdiction, in order to apply the duty of visitation to it both in the head and in the members. When the word of God had been put to Matthew, the Greek bishop of Lefkara, and to many other Greek priests and clerics subject to the same Bishop Matthew, [Berard] asked said priests and some of the canons of the aforesaid Church of Lefkara what they believed and thought about the sacrament of the Body of Christ, which Latin priests prepare with unleavened bread. But while the aforesaid Bishop Matthew was listening and keeping silent and, sort of, nodding his assent to them, as with all probability one could ascertain through sure indications, the same priests and canons answered by saying that they were completely ignorant about what this would be. And when said bishop of Limassol wished to proceed further and to ask them about certain issues that touch upon the Catholic faith, and when he demanded an oath from them for the truth in the matter, they completely refused to swear, asserting that if they were to take the oath, they would not be able to celebrate the divine offices afterwards. When the above mentioned Bishop Matthew was asked about this, he responded that they should not swear in any way, since Scripture says, "Do not swear" [Matthew 5.34].

[2] But when it was learned that the aforesaid bishop of Limassol had arranged various legal proceedings against the aforementioned Bishop Matthew, his faults requiring it, and through another letter of ours in a fixed form we decided to commit the execution of these proceedings to you, the said canons and priests, as we have learned, still stubbornly persisted in their errors. We do not want to tolerate this, nor should we. Therefore, possessing full confidence in the Lord concerning your circumspection, by the tenor of the present [letter] we grant to your fraternity the unrestricted power to proceed against the aforesaid canons and priests and anyone else of the city and diocese of Limassol who is tainted by or suspected of heretical depravity, and the power to capture them and put them into prison, punishing them according to the canonical decrees wherever they might be found in the Kingdom of Cyprus. [We grant you the power] to invoke the assistance of the other prelates of said kingdom and even of the secular arm for this purpose, if it is necessary, and to restrain all those who

refuse with ecclesiastical censure, appeal put aside, not withstanding any Apostolic privileges and indulgences about which there must be made word for word mention of their whole tenor in the present [letter]. Given in Rome, at St Peter's, the sixth Kalends of November, in the first year.

32

Pope Boniface VIII to Gerard of Langres, archbishop of Nicosia, Rome, St Peter's, 27 October 1295 [Delorme and Tautu, *Acta Romanorum Pontificum ab Innocentio V ad Benedictum XI*, #120].

[1] [First paragraph as in previous letter, then as follows:]

[2] And although the aforementioned bishop of Limassol could have freely exercised the rigor of the law against Bishop Matthew as suspect, or rather almost confessed, of heretical depravity, he desired to call him back from this error and he warned him diligently to give up totally the aforesaid errors and similar ones and to remove them from his subjects by the roots. Once more he peremptorily cited [Matthew] to appear before him in Limassol, within a fitting fixed time limit, to receive humbly his correction and reform concerning the aforementioned and other things connected with the healthy orthodox faith. [Matthew] neglected to comply with these healthy warnings or to appear before the bishop within the fixed time limit, and he was even awaited long after the time limit. Because of this, as justice demanded, by [his] ordinary authority the same bishop of Limassol promulgated a sentence of excommunication against Bishop Matthew who was so defiant and strongly suspect of heretical depravity, and he had him denounced publicly as excommunicate. And when Bishop Matthew had borne the aforesaid sentence of excommunication for no small span of time with hardened soul, the bishop of Limassol summoned him to his presence concerning the aforementioned things. [Matthew], still damnably persevering in his defiance, was once again struck with the sword of excommunication by the same bishop of Limassol and denounced publicly as excommunicate.

[3] And afterwards Nicholas [of Hanapes] of good memory, patriarch of Jerusalem, the legate of the Apostolic See, to whom said bishop of Limassol took recourse over the aforesaid matters, had the aforementioned Bishop Matthew summoned, so that [Matthew] would see to it that he appeared before the patriarch within a fixed, fitting, and peremptorily assigned time limit to respond to said bishop of Limassol concerning the case (*de iustitia*). And because he defiantly neglected to appear before the patriarch, the same patriarch brought a sentence of excommunication against him and had him publicly denounced as excommunicate in all the churches of the Kingdom of Cyprus.

[4] Meanwhile, said patriarch having entered the path that all flesh takes, Bishop Matthew, persevering for three years and more in his stubbornness,

undertook to celebrate, or more truly profane, as it is, the divine [offices] and [holy] orders, to the peril of his soul, the contempt of ecclesiastical discipline, and the scandal of many men. Whence said bishop of Limassol, unable without offense to God to overlook such serious offenses of said Bishop Matthew any further without dissimulation, had Bishop Matthew cited legitimately and peremptorily to appear in Limassol before the bishop of Limassol within a fitting fixed time limit to receive a just sentence for his abovesaid errors and offenses. But said Bishop Matthew, with his customary defiance, refused to appear before said bishop of Limassol within the fixed time limit, although he was even awaited for a long time after that time limit.

[5] So for the aforesaid reasons, the same bishop of Limassol condemned Matthew in the verdict as a heretic, as justice demanded, resolving that he should be removed from every office, benefice, the episcopal rank, and orders. But when said Bishop Matthew, thus excommunicated and condemned, retreated to the diocese of Nicosia, and said bishop of Limassol requested permission from our venerable brother John [of Ancona, bishop of] Turritano, former archbishop of Nicosia, your predecessor, to capture Bishop Matthew, the archbishop refused to grant him said permission. Wherefore said bishop of Limassol humbly begged us to deign to provide a suitable remedy for this.

[6] Therefore, through an Apostolic letter, we order your fraternity, if you are plainly convinced about the aforesaid, without fuss and the semblance of a trial, to turn over the proceedings held by the bishop of Limassol against the aforesaid Bishop Matthew to their due fulfillment, and to have Matthew captured, put into prison, and detained in prison until you receive another special order from us, invoking if necessary the help of the secular arm for this, restraining with Apostolic authority those who refuse, appeal put aside. Given as above.

33

Pope Boniface VIII to Leo, bishop-elect of Solea, Rome, the Lateran, 1 February 1301 [Delorme and Tautu, *Acta Romanorum Pontificum ab Innocentio V ad Benedictum XI*, #132].

[1] To his beloved son Leo, [bishop]-elect of Solea. Although the things that occur at our command acquire complete firmness, nevertheless we occasionally add to them the strength of Apostolic defense, so that the more specially fortified they are by our protection, the more firmly they persist unimpaired.

[2] A while ago, when the Church of Solea became vacant because of the death of Neophytos of good memory, bishop of Solea,⁸ it happened that three

8. The edition has various typos and other errors. The ms., Reg. Vat. 59, f. 8v, has "Solia" and not the edition's "Solii."

elections took place in it amidst discord: namely the first, of you, held canonically; and the second, of Theodore, the dean of the Church of St Barnabas of Nicosia, and the third, of Joachim, the abbot of the monastery of St George of Mangana of the diocese of Nicosia, undertaken de facto. When you and the aforesaid Theodore and abbot were describing these elections in detail before the vicar of our venerable brother [Gerard], archbishop of Nicosia, the metropolitan of the place, said Theodore and Joachim appealed against the vicar to the Apostolic See because of a specific injury done to them by the vicar. And although they did not pursue their appeal at the aforesaid See within the legal time limit according to the regulation of Pope Nicholas III of happy memory, our predecessor, nevertheless, after the news of the aforesaid appeal reached you, you came to said See within the time limit of the regulation, and you obtained from us the concession of our venerable brother J[ohn Buccamatius], the bishop of Tusculum, as auditor in this case, both concerning the appeal and the original business.

[3] You and the aforesaid Theodore and the monk Germanos of Athos, the procurator of said abbot, appeared in person before him. You and they produced documents, rights, and defenses that [the three of] you wanted to use in this case, the bishop of Tusculum asked some questions as well from his duty, and responses were given to them. Finally, since among other things you were charged with lack of knowledge, on our orders given to him in an authoritative statement, and also according to the wishes of Theodore and the procurator of said abbot, the same bishop of Tusculum had you examined in the literacy and the chant of the Greeks by two monks of the monastery of Cryptaferata of the diocese of Tusculum, who were suspect to none of you [three], having first received the corporal oath from the examiners that they would examine you diligently and report to him faithfully what they found concerning this. After the diligent examination of you over this was done, they reported that they had found you fit in the aforesaid literacy and chant.

[4] Next, said procurator petitioned that you be examined again, and finally he appealed to said See because his petition was not accepted. But when the bishop of Tusculum made a faithful report to us over this, we ordered him in an authoritative statement to reject said procurator's appeal, if it was supposed to be rejected by law, and to finish the whole original business with the correct end, with the advice of our beloved⁹ sons J[ohn the Monk], cardinal-priest of SS. Marcellino e Pietro, and Landulph [de Brancatis], cardinal-deacon of San Angelo, whom we attached to him in said business. With the advice of the aforesaid cardinals who were assisting him in this matter, when the rights of the aforesaid electi Theodore and Joachim had been diligently inspected, the aforementioned bishop of Tusculum pronounced (1) that the aforesaid Theodore and Joachim had lost every right, if it had belonged to any of them from these

9. The ms. (f. 8v) has the abbreviation for "dilectorum" rather than the edition's "dictorum."

elections, (2) that they were not to be allowed on any account to pursue these elections and the appeal they had filed against the same vicar, as was said, (3) that said appeal of the procurator was not at all canonical, and (4) that the procurator must not be admitted as a claimant against you, [the bishop of Tusculum] imposing perpetual silence on them over the aforementioned issues.

[5] Afterwards, the aforementioned Theodore, not as [bishop]-elect but as the dean of the Church of St Barnabas, pronounced several charges against you that contained certain crimes and failings, desiring that he be allowed to prove them. Finally, when it had been argued for some time about whether Theodore's charges would be admitted, on the advice of the aforesaid cardinals the aforementioned bishop of Tusculum pronounced that Theodore should by no means be admitted for this purpose. Next, when the bishop of Tusculum and the aforementioned cardinals had made a full and faithful report to us over all of these matters, on our orders that we made¹⁰ to him and to the cardinals in the consistory, said bishop of Tusculum diligently examined both the aforesaid election of you that had been held, as was said, and the merits of your person. Because he found that your election was celebrated canonically of a worthy person, therefore, when you were present and said Theodore and the procurator of the abbot had been legitimately summoned, on the orders of the bishop of Tusculum, to hear the definitive sentence on these matters, but absented themselves in the time limit assigned to them for this purpose because of their stubbornness, on the advice of the aforesaid cardinals who were assisting him in this, on our authority which was committed to him for this, he confirmed the election in his verdict, as is fully contained in the public document prepared at the time and strengthened with the seal of the aforesaid bishop of Tusculum. Therefore, inclined by your entreaties, holding what was done by the bishop of Tusculum on our orders on this matter to be fixed and agreeable, we confirm it by Apostolic authority *etc. until* "we strengthen."

[6] We have had the tenor of said document inserted word for word in the present [letter]. It is as follows:

[7] In the name of the Lord, amen. A while ago, when the Church of Solea in Cyprus became vacant by the death of the late Neophytos, bishop of that church, three elections of the future bishop were held amidst discord: namely the first of the priest Leo Verna, dean of the Church of Solea; the second of the priest Theodore, dean of the Church of St Barnabas in Nicosia; the third of the priest Joachim, abbot of the monastery of St George of Mangana. When these elections had been held, each of the aforesaid [bishop]-elects appeared before the venerable father

10. The ms. (f. 9r) has "facto" rather than the edition's "fecit."

[Gerard], archbishop of Nicosia, the metropolitan of the place, or his vicar, seeking to have the election done of him confirmed as canonical. When their petitions on this matter were being argued at court before the vicar of the aforesaid archbishop, and when certain proceedings had been conducted before him aimed at attacking the elections of the aforesaid priest Theodore and priest Joachim, they appealed to the Apostolic See against the brevity of a certain time limit assigned to them by the above-mentioned vicar.

[8] Our most holy father and lord, the Lord Pope Boniface VIII, committed the cases of these appeals and elections to us, John, by divine mercy bishop of Tusculum, to be heard and then referred back to him. Therefore, when the priest Leo and the priest Theodore – each¹¹ principally and personally on his own behalf – and the monk Germanos, the procurator of the aforesaid Abbot Joachim, appeared before us, each showed us his election decree and certain other documents. Next, we decided to establish for them a fixed incontrovertible deadline for producing the rights, letters, documents, and defenses that they wanted to use in this case. When they had produced these documents, letters, and defenses within the deadline given to them, we wanted to be informed more fully about the circumstances of the elections. We put some questions to them and received responses from them.

[9] And when the aforesaid priest Theodore and procurator of the aforesaid priest Joachim declared that they wanted to give certain charges against the aforementioned priest Leo, which they were offering to prove in the Curia, we assigned a peremptory deadline to each of them for giving all the charges that each of them wanted to give, and they produced these charges within the deadline. Said Theodore alleged among other things crimes and failings, and, because he was not able to prove them with witnesses in the Curia, he asked to send back to Cyprus in connection with the charges for their proof. Said Germanos, the procurator¹² in the name of said priest Joachim, charged the same priest Leo with evident lack of knowledge. Because of this, with the permission and on the orders of our lord that were given to us in an authoritative statement, and with the will of the parties, we had the priest Leo examined in our presence in the literacy and chant of the Greeks by two monks of the monastery of Grottaferrata, who were suspect to neither party and who took an oath in the presence of the parties to examine Leo

11. The ms. (9r) has "quolibet" rather than the edition's "quilibet."

12. Reading "procurator," as the ms. (9r) allows, rather than the edition's "procuratoris."

diligently. When the examiners had made a faithful report to us that they had found the priest Leo worthy and capable in the literacy and chant for attaining the episcopate, the same Germanos asked that the priest Leo be examined again. And because we did not have him examined again, nor were we obliged by law to do so, he appealed, although frivolously.

[10] When we had made a faithful report about all of these things to our aforementioned lord, our said lord ordered us to reject the appeal, if it was to be rejected by law, and to expedite the whole business, with the advice of the reverend fathers Lords John, cardinal-priest of SS Marcellino e Pietro, and Landulph, cardinal-deacon of San Angelo, whom he attached to us as advisors in this affair. Therefore, when the abovesaid parties were present before us in court, namely the [bishop]-elects the priest Leo and the priest Theodore, each principally for himself, and Germanos, the procurator¹³ in the name of the aforesaid Abbot Joachim, and the abovesaid reverend fathers, certain questions were put to the same Germanos and he responded to them, and the parties were given a deadline for adducing [evidence] for the abovesaid business. When the documents, letters, and defenses that were produced and shown had been seen, and when the legal actions had been conducted before us in court, and also when all the things that said parties wanted to adduce and state in court by themselves and through advocates before us and the aforementioned lord cardinals had been heard many and various times, and when the parties were in our and the aforesaid lord cardinals' presence, on the advice of these reverend fathers who were assisting us and present, sitting as a tribunal we declared that the priest Theodore and the priest Joachim, the aforementioned [bishop]-elects, had lost every right, if any had been acquired by them or by one of them, in the elections held of them. And [we declared] that neither they themselves nor the aforesaid procurator was on any account to be allowed to pursue these elections and the aforesaid appeal, imposing perpetual silence on them over these things, since they had no right in them. We also declared that the appeal introduced by the aforementioned procurator had not been and was not in the least canonical, and that the aforementioned Germanos, who was opposing the priest Leo as a plaintiff, should not be at all admitted as a plaintiff against the priest Leo.

[11] After these things, however, said priest Theodore, as the dean

13. Reading "procuratore," as the ms. (9r), allows, rather than the edition's "procuratoris."

of the Church of St Barnabas of Nicosia and as a subject of the church of Solea – and a person who said he had an interest in having a good prelate –, presented certain charges before us against said priest Leo which included crimes and defects. He asked that he be allowed to prove them. When a copy of them had been made for the aforementioned priest Leo, since it was alleged on his behalf that said charges must not be admitted nor must said Theodore be allowed to prove them, we decided that a fixed deadline should be pre-established for the aforementioned parties for adducing [evidence] orally and in writing concerning allowing these charges.

[12] Therefore, when all the things that said parties wanted to say, give in writing, and adduce [as evidence], either by themselves or through advocates, had been said and heard many and various times, and when we had obtained the advice of the aforesaid lord cardinals and their diligent deliberation was conducted with us, with the advice and consent of the lord cardinals, when the aforesaid parties were in our presence, sitting as a tribunal we declared in writing that the aforementioned Theodore was not at all to be allowed to give and prove, as plaintiff or opposer, said charges against the aforementioned priest Leo, and we rejected him, imposing perpetual silence on him over this.

[13] Finally, however, when we and the aforesaid reverend fathers had made a full and faithful report about all the aforesaid things to our aforesaid lord, in full consistory our lord engaged us with an authoritative statement to consider, along with said reverend fathers, the election held in said Church of Solea of the aforesaid priest Leo Verna, and, if we found the aforesaid election canonical and held of a worthy person, to confirm the election with the advice of the lord cardinals. Therefore, we saw and diligently inspected the decree of his election and the others that were obtained surrounding this election, and the things that said priest Leo wanted to produce before us, and moreover we held a diligent inquisition and examination of the suitability of the person of the priest Leo. The aforementioned priest Theodore and priest Joachim and all others who had an interest or who believed they had an interest were summoned in very large numbers to hear our present sentence in a public audience, as is the custom. Said priest, in our and the aforesaid reverend fathers' presence, requested with urgency that the sentence be given; the others were absent in the prefixed deadline through obstinacy. Because we found the aforementioned election canonical and held of a worthy person, by the authority of our most holy father and lord, the aforesaid Pope Boniface, which

was committed to us in this matter, along with and on the advice and consent of the abovesaid reverend fathers, who were presently assisting us and present, we confirmed the election.

[14] In testimony of which we ordered our present decision to be written and rendered in public form by John of Master Andrew of Bevagna, our below-written notary, and to be strengthened with the application of our seal.

[15] The abovementioned decision was given and declared in writing by the aforementioned reverend father Lord John, by the grace of God bishop of Tusculum, at the Lateran, in the loggia before the palace in which the Lord Pope resides. Present were the reverend fathers Lords John, by the grace of God cardinal-priest of SS Marcellino e Pietro, and Landulph, cardinal-deacon of San Angelo; the venerable father Lord Arcadius, the bishop of Tropea; Lord Titius, the archpriest of Colle and chaplain of the aforementioned Lord Landulph; Lord Berard of Podio Bastonis [and] Master Geoffrey Pauca, chaplains, [and] Conrad of Murro, the pages of the aforesaid Lord of Tusculum; and many other witnesses. And I, John of Master Andrew of Bevagna, notary by imperial authority and scribe of the aforementioned Lord of Tusculum, was present along with the abovesaid witnesses in proof of the abovementioned decision, and as is written above, on the orders of the abovesaid Lord of Tusculum, I wrote this decision and rendered it in public form and signed it with my customary sign.

[16] Therefore, let no one, *etc.*, of our confirmation, *etc.* Given at the Lateran, on the Kalends of February, in the seventh year.

34

Pope Clement V to Robert the Norman (?), bishop of Paphos, Lyons, 1 February 1306 [Delorme and Tautu, *Acta Clementis V*, #6].

[1] To his venerable brother [Robert?], bishop of Paphos. The greater the devotion to the Lord which we learn that you glow with, the more confidently we commit to you for carrying out the things that are welcome in the eyes of divine majesty and pertain to the praise and glory of His name and the growth of the Catholic faith.

[2] It has come to the attention of our Apostolate, in a trustworthy report, that a certain Jorgianus [a Georgian?] and some Greek schismatics, calling themselves abbots of the monasteries of Gelia, Lacrona, and St Sabbas of the diocese of Paphos, wrongly seized these monasteries and, to the offense of the

Celestial King, retain what they seized. But because of the servile status of these schismatics, these monasteries have collapsed seriously. We aim with anxious care at the re-erection of these monasteries for the glory of the divine name and the increase of the Catholic faith, and we want the Catholic faith to flourish and the cult of the divine name to grow in these monasteries, when the errors of every infidelity have been purged. Therefore, through an Apostolic letter we order your fraternity, if it is so, to attend to reforming these monasteries by yourself or through another or others with some Catholic religious, if they can be profitably found in those parts, otherwise with some faithful and respectable secular clerics. Those who refuse, through censure, *etc.* Notwithstanding if the Apostolic See has granted to any people that they cannot be put under interdict, suspended, or excommunicated by an Apostolic letter not making full and explicit and word for word mention of this grant. Given in Lyons, the Kalends of February, in the first year.

35

Pope Clement V to Bishops [Peter Erlart] of Limassol and [Guy of Trento] of Famagusta, Poitiers, 8 February 1308 [Delorme and Tautu, *Acta Clementis V*, #24].

To his venerable brothers Bishops [Peter] of Limassol and [Guy] of Famagusta. From the tenor of the petition of our beloved son Brother Hayton of Corycos, lay-brother of the monastery of St Mary of Episcopia, of the Order of St Augustine, of the diocese of Nicosia, we learned recently that the Greeks who are staying in the monastery of St George of Mangana of the same diocese have until now handled and are handling the monastery of St George badly. Wherefore Brother Hayton humbly begged us to deign, out of Apostolic kindness, to unite the monastery of St George with the aforementioned monastery of St Mary and to give to the abbot and convent of said monastery of St Mary permission to transfer themselves to said monastery of St George, to celebrate the divine office there, and to reform said monastery of St George with worthy Latin persons. With paternal devotion we aim at the reform of said monastery of St George, and we have special confidence in the Lord concerning your circumspection. Therefore, if you find said monastery of St George to be in a state of dissolution and you consider it useful for the souls of the persons living in it, we command your fraternity to attend, with our authority, to uniting the monastery of St George with the aforementioned monastery of St Mary or arranging otherwise concerning the monastery of St George, as you consider to be more usefully advantageous according to God. And we intend to put the burden on your conscience on these matters. Those who refuse, through censure, *etc.* Given as above [the fourth Ides of February, in the third year].

36

Pope John XXII to Bishop Baldwin of Famagusta and Master Peter of Ginolhaco, canon of Nicosia and papal nuncio, Avignon, 23 November 1318 [Tautu, *Acta Ioannis XXII*, #19].

[1] To the bishop of Famagusta and Master Peter of Ginolhaco, canon of Nicosia, nuncio of the Apostolic See. The petition of the Greek Bishops Leo of Solea and Lemanos [*read*: Olivarios] of Lostara [*read*: Lefkara] of the province of Nicosia which was extended to us contained [the claim] that our venerable brother Peter [of Pleine-Chassaigne], patriarch of Jerusalem, at that time legate of the Apostolic See in those parts, without legitimate grounds preceding and without the observance of the order of the law, had said bishops captured and put into custody and left them imprisoned in this way in the same place contrary to justice, the grounds for this capture and incarceration not having been discussed.

[2] Since the patriarch exceeded the time limits of his legation a while ago, and he who is in a position to know about these grounds is not in those parts, the aforementioned bishops, since they are prepared to provide a sufficient bail security for bearing a healthy penance or undergoing due punishment if afterwards it happens that they are found guilty, had us humbly begged to deign to provide them mercifully with a suitable remedy in this affair.

[3] We want this business to have the correct end. After careful discussion, through an Apostolic letter we command your discretion that you or one of you, if the other does not wish to or cannot be involved, absolve these bishops definitively over this matter with our authority, setting them free from their prison guard, if, when the information about the grounds for their capture and incarceration has been received through a careful dragnet, it happens that you find them innocent in this matter. Or you should refer said bishops back to us and the aforesaid See as you deem expedient. And whatever you decide to be done concerning the aforementioned you should faithfully report to us through a letter of yours containing the text word for word. Given in Avignon, the ninth Kalends of December, in the third year.

37

Pope John XXII to Bishop Leo of Solea and Bishop Olivarios of Lefkara, Avignon, 30 January 1321 [Tautu, *Acta Ioannis XXII*, #35; for pars. 4-5, cf. letter above].

[1] To his venerable brothers the Bishops Leo of Solea and Olivarios of Lefkara of the dioceses of Nicosia and Limassol. The Holy Roman Church, by the Lord's arrangement the mother and mistress of all the faithful, in all its acts

contemplates clemency, shows piety, and does not abandon justice, as it attends to asking about persons and cases, times and places. When you were in our and our brothers' presence, in your name and that of your other co-bishops of the Greeks of the Kingdom of Cyprus, you had it related that once upon a time the matter of a court case arose between the Latin pontiffs, on one side, and the Greek pontiffs of the same kingdom, on the other, over the law of subjection that said Latin pontiffs [claimed] over the same Greek pontiffs and other subjects of theirs, both the Greeks and the Syrians of said kingdom (who have observed the same customs and rites along with the Greeks from ancient times), and over several other issues. Finally, after the litigation over these issues between the parties had gone on for a very long time before Pope Alexander IV of happy memory, said predecessor made a fixed arrangement between the parties over the aforementioned and ordered that the parties and all their subjects in the same kingdom observe the arrangement inviolably in future times forever.

[2] The abovesaid arrangement was observed peacefully afterwards in the aforesaid kingdom from the time in which the arrangement was published in the same kingdom, as you assert. However, when the Greek or Syrian priest who is celebrating presents before the standing crowd a piece of bread – taken from a another lager piece of bread – and wine and water put in a chalice in accordance with the Greeks' custom, after the benediction and before the consecration, you and all of the other Greeks and aforesaid Syrians piously throw yourselves to the ground in the sight of the priest in reverence in accordance with custom. Peter of good memory, patriarch of Jerusalem, at that time bishop of Rodez [and] legate of the Apostolic See in those parts, asserted that reverence of this sort was an abuse and idolatry or heresy that should be totally eradicated from the hearts of the faithful. He made regulations concerning this and subsequent issues that were opposed, as you say, to the aforementioned arrangement of said predecessor, commanding that they be firmly observed in said kingdom, namely that every Greek bishop, having called the diocesan of the Latins to whom he is subject, or his vicar, should assemble a synod of all the abbots and priests and others of his curates at least twice a year, after the seventh day from the day on which is celebrated the synod in Nicosia, that is, at the metropolitan see. And if said abbots, priests, and curates refused to come to this synod of the Greeks, they would be tied with the noose of excommunication in the same synod of the Greeks and even suspended from every office and benefice of theirs, unless a serious illness rendered them excused from this, through letters or messengers. He also established that the Greek bishops should not solemnize orders at times other than when the Latin bishops presiding solemnize them, and that the same Greek bishops should come to the Chrism when it is prepared each year on the day of the Last Supper by the Latin bishops, unless they were occupied with a similar task.

[3] You and your other aforesaid Greek co-bishops had assigned reasonable grounds, as you assert, before the same legate, from which you were proposing,

as you still propose, that you and your Greek co-bishops were not bound to the observation of this regulation of the aforementioned legate. Nevertheless, because said legate was refusing to admit these grounds, a multitude of simple Greek layfolk, stirred up because of these things, shouted in an uproar and after their shouting immediately proceeded back to the Nicosia archiepiscopal palace where said legate was staying. But the aforesaid legate, alleging, as you say, that you were the chief instigators of this agitation, tumult, and outcry, had you captured and put into prison under guard. And for the inquiry about these things against you, he sank lower from his office, having administrators of the spiritual and temporal affairs of your churches appointed by their chapters, pending the business of the inquisition, and he commanded these administrators not to answer to you in anything concerning this administration. And then, having exceeded the time limits of his legation, he left you in the aforementioned custody.

[4] Subsequently, however, for our part, it was explained to us that said legate, without legitimate grounds preceding and without the observance of the order of the law, had had you captured and put into custody, and left you imprisoned in this way in the same place contrary to justice, the grounds for your capture and incarceration not having been settled. Since said legate had exceeded the aforesaid time limits, as was said, and so he who could know about said grounds was not in those parts, you were prepared to provide a sufficient bail security for bearing a healthy penance or undergoing due punishment if afterwards it happened that you were found guilty, and we were humbly begged to deign to provide you mercifully with a suitable remedy in this affair.

[5] We wanted this business to have the correct end. After careful discussion, we gave another letter of ours to our venerable brother Bishop [Baldwin] of Famagusta and our beloved son Master Peter of Ginolhaco, canon of Nicosia, nuncio of the Apostolic See, ordering them to absolve you definitively over this matter with our authority and set you free from your prison guard, if, when the information about the grounds for this capture and incarceration had been received through a careful dragnet, it happened that they found you innocent in this matter. Or they were to see to it that they referred you back to us and the aforesaid See as they deemed expedient. And whatever they did concerning the aforementioned they were to faithfully report to us through their letter containing the text word for word of our letter directed to them.

[6] And said bishop of Famagusta and canon of Nicosia were to see to it that they inquired about said grounds of the capture and incarceration and finally that they sent back to our presence both you, released from custody, and this inquest with their seals. But with an authoritative statement we commissioned our venerable brother Galhard, archbishop of Arles, to open the inquest and examine it and then refer to us whatever he found after he was informed on this matter.

[7] The same archbishop of Arles has made a full and faithful report to us and our brothers concerning these matters. Considering the distress that

imprisonment caused you daily and the age by which you are oppressed and the fatigue that you underwent in coming to the Apostolic See personally, and [considering] that in a spirit of humility you have shown that you obey our orders and our Apostolic orders in all ways concerning these matters, in the way of a pious father, we want to use gentleness with you rather than severity. Therefore, even if you or one of you was perhaps to blame for the aforesaid agitation, tumult, and outcry, on the advice of our aforementioned brothers, not withstanding the appointment of the aforesaid administrators done by the chapters, as was stated above, or if perhaps said legate suspended you from the administration of their spiritual and temporal affairs, by the gracious kindness of the aforesaid See, we grant that you can freely exercise the pontifical ministry and the other things that are recognized to pertain to this ministry, just as applied to your predecessor bishops of Solea and Lefkara, and to you before this appointment and suspension, which with the same kindness we also lift, starting from now. Nevertheless, with fatherly warnings we urge you and your aforesaid Greek co-bishops and your and their subjects to take pains to show the obedience and reverence due to said See and its legates.

[8] In other respects, on the advice of our aforesaid brothers, with respect to observing the aforesaid regulations of the legate, from now on we do not want you to be obliged in the least in the articles – as they were expressed above – because of which [articles] you complain that you and your other Greek co-bishops of the same kingdom, and the others subject to you and them, are overburdened in many ways and over which you have taken the trouble to show us the causes of these injuries, except when and how the same See arranges concerning these express articles of the regulations of the legate, always keeping the purity and rectitude of the Catholic faith and the obedience due to the Roman Church.

[9] Nevertheless, commanding by the tenor of the present [letter], we want and are ordering both you and your other Greek co-bishops of said kingdom to instruct the people subject to you and them in your and their preaching and to illuminate their cloudy – perhaps, in this matter – understanding, that in the presentation of this aforesaid blessed piece of bread, wine, and water to them by the celebrating priest, they should not understand or believe that they are the body and blood of our Lord Jesus Christ before their consecration, as was expressed above. Nor should they presume to worship the aforesaid blessed piece of bread, wine, and water before their consecration as if there were the body [and blood] of our Lord Jesus Christ there, since they do not yet exist in them, as was stated before. However, we do not intend by this to prohibit said Greeks and Syrians from being able to entreat with reverence and devotion, as is fitting, the priest who is celebrating and presenting to them the aforesaid, as was said, blessed piece [of bread], wine, and water, and who is returning to the altar, in accordance with the custom of the aforesaid Greeks and Syrians, to perform this sacrament of the Lord's body and blood, so that he prays to God for them.

[10] Of course, we do not wish by this will of ours to diminish the arrangement of Alexander IV in those things that you and your other co-bishops and other Greeks and Syrians staying in the aforesaid kingdom were bound by law to observe before the aforementioned regulations were made by said legate. Let no one, *etc.* Given at Avignon, the third Kalends of February, in the fifth year.¹⁴

38

Pope John XXII to the abbot of St Paul of Antioch [then at Stavrovouni] and Master Peter of Ginilhaco, canon of Nicosia and papal nuncio, Avignon, 11 February 1321 [Tautu, *Acta Ioannis XXII*, #36].

[1] To his beloved sons the abbot of the monastery of St Paul of Antioch, who is staying on the island of Cyprus, and Master Peter of Ginilhaco, canon of Nicosia, nuncio of the Apostolic See. The duty of our office urgently demands that, when the necessary knowledge has been acquired beforehand, we should have the fullness of justice shown to whoever requests it, nor should we allow injuries and damages to be inflicted on anyone unduly. Our venerable brothers Bishops Leo of Solea and Olivarios of Lefkara, of the dioceses of Nicosia and Limassol, in their name and in that of their other Greek co-bishops of the Kingdom of Cyprus, had it related to us, with complaint, that according to the arrangement of Pope Alexander IV of happy memory, our predecessor, made between the Latin pontiffs, on one side, and the Greek pontiffs, on the other, over certain issues, the Syrians living in the aforesaid kingdom who have the same rites and customs as the Greeks of the same kingdom must be subject to the jurisdiction of the aforementioned Greek pontiffs, and that the Greek pontiffs by their authority were to decide on the confirmation of the elections of the abbots of the Syrians who had come to that kingdom from parts of Syria after this arrangement and who stay in the kingdom. And [they related that] said Greek pontiffs and their predecessor Greek pontiffs had been in peaceful possession or quasi [possession] of the right of the immediate subjection of the aforesaid abbots and other Syrians, and of confirming the elections of these abbots, and of hearing the marriage cases which would occasionally arise among said Syrians or between them and the Greeks, from the time of the aforesaid arrangement until the time when Peter of blessed memory, patriarch of Jerusalem, then bishop of Rodez, the legate of the Apostolic See in those parts, had the same Leo and Olivarios and Hilarion of blessed memory, bishop of Karpasia of the diocese of Famagusta,

14. There appear to be a few small typographical errors in the edition; I have corrected them tacitly without having access to the ms.

captured and put in prison under guard, on the pretext that many simple Greek layfolk of said kingdom, their souls enraged, forced their way inside the archiepiscopal palace of Nicosia because of specific causes which, nevertheless, are hardly consonant with reason, with the aforesaid Leo, Olivarios, and Hilarion, or one or two of them, instigating, as is said.

[2] Nevertheless, after this capture and incarceration, the aforesaid Latin pontiffs, asserting that the Syrians who came from the aforementioned parts of Syria after the aforesaid arrangement should be subject to their ordinary authority and not to that of said Greek pontiffs, usurped as they pleased, both by themselves and through their vicars and officials, the confirmation of these elections of said Syrian abbots and the bestowal of benefices and offices when they became vacant in the cathedrals and other Greek churches of said kingdom, and also the hearing of the aforementioned marriage cases. And in various ways they advanced to other things and they do not stop advancing, to the partial repeal of the arrangement and to no small prejudice and harm to both Leo and Olivarios and the aforesaid other Greek pontiffs.

[3] Furthermore, at the time of their capture and after their aforesaid capture and imprisonment, several people, both Latin, Greek, and Syrian of the aforesaid kingdom, clerics and laymen, seized rashly and occupied many goods, both movable – and moving – and immovable, some of which belonged to the episcopal estates of Leo and Olivarios, and several of them to Leo and Olivarios themselves by reason of their persons. And they carried away these movable goods and are keeping what has been seized.

[4] Moreover, it is known that Alexander's letters which were prepared concerning his said arrangement, as is asserted, ended up with Master William Lambert, citizen of Nicosia, the brother of the abovesaid bishop of Famagusta. [But he] keeps these letters contrary to justice and less justly refuses to return them unless no small sum of money, which he is demanding for this, is paid to him beforehand, although the Greek prelates of said kingdom asked him for their return.

[5] And another complaint of the bishop of Solea that was related to us contained [the claim] that at the time of his capture certain Latin, Greek, and Syrian clerics – even dignitaries and people of rank – and laymen of that kingdom rashly presumed to capture and carry off some serfs (who are called slaves¹⁵ in those parts), various sums of money, many herds of various species, and no small quantities of wheat and barley belonging to said bishop of Solea, and they brought these herds together and divided them up amongst themselves. And after the aforementioned bishop of Solea's capture, our venerable brother Leo, bishop of Karpasia¹⁶ of said diocese of Famagusta, then canon of Solea, and also Nicholas Mellidoni, Theodore and David Athanasii, and George of Rassa, canon-priests, took over said bishop of

15. Tautu thinks they are Slavs, however.

16. Not the Latin, contrary to Tautu, but rather Hilarion's successor.

Solea's revenues, proceeds, and income from the Solea bishopric for six years and more, and applied them to their own uses. And Bartholomew of Montolif, a knight of Nicosia, extorted 1000 silver bezants of Cyprus and ten gold florins from the bishop of Solea for the ransom of certain letters of ours which ended up with said knight and through which, among other things, we had commanded our venerable brother Baldwin, the bishop of Famagusta, and you, son, the aforesaid Master Peter, to have the same Leo and Olivarios released from this prison guard when a fixed procedure had been observed.

[6] We intend to provide for the aforementioned Leo and Olivarios and their said churches in connection with the aforesaid matters that were reported to us, as was stated, with complaint. Therefore, inclined by the entreaties of Leo and Olivarios, through an Apostolic letter, we command your discretion that you or one of you inquire very diligently and summarily, plainly, without fuss and semblance of trial, after the truth about the aforementioned goods, things, and other items that were seized in this way after the capture and imprisonment of Leo and Olivarios, once those who should be summoned have been called. And [we command you] to see to it to warn, by our authority, those with whom you find these things to have ended up, to restore these, if they are extant, to said Leo and Olivarios, as they must, within a sufficient peremptory time limit that you are to set beforehand, or to make suitable compensation to them for those things, as they are obliged. Otherwise from that time you should bring a sentence of excommunication against them and every one of them by the aforesaid authority, to be observed without violation until fitting satisfaction, appeal withheld. But from now on you are to listen to what is brought forward concerning the other things in a similar way summarily, plainly, and without fuss and semblance of trial, and declare what is just, appeal set aside, having what you decree firmly observed through ecclesiastical censure. If, however, the witnesses who are named withdraw themselves for a favor, hatred, or fear, you should force them to give testimony to the truth with a similar censure, appeal withdrawn. Not withstanding [the canon] "of two days' journey" in the General Council [Lateran IV, #37] and [the one] by our predecessor Pope Boniface VIII of happy memory, by which it warns that no one can be dragged to court outside his city and diocese except in certain cases, and in those no further than one day from the limits of his diocese, and [not withstanding] any other regulations proclaimed by Boniface and any other of our predecessors that are to the contrary, through which [regulations] the functioning of your power and jurisdiction could be impeded in any way on this matter, or [not withstanding] if the same See has granted to certain people together or separately that they cannot be excommunicated, suspended, or placed under interdict by Apostolic letters that do not make full and express and word for word mention of this concession. Given in Avignon, the third Ides of February, in the fifth year.¹⁷

17. There appear to be a few typos in the edition; these I have tacitly corrected.

39

Pope John XXII to Bishop Baldwin of Famagusta, Avignon, 11 February 1321 [Tautu, *Acta Ioannis XXII*, #37; for par. 3, cf. above, X.37.9].

[1] To his venerable brother Baldwin, bishop of Famagusta. Like our predecessor Roman pontiffs we wish to tolerate, as much as we can with the Lord, the customs and rites of the Greeks of the Kingdom of Cyprus that are not opposed to the Catholic faith. Nevertheless, we consider it health-giving for the Greeks and the Syrians (who from ancient times have observed the same customs and rites as the Greeks) of the aforesaid kingdom (whom we attend to with fatherly love as they remain under the obedience to the Roman Church) to be drenched very often with the drops from the preaching of the word of the Lord, to be roused sweetly by fatherly warnings, and to be strengthened very vigorously in the devotion to the Roman Church. Thus, while they persist steadily in the perseverance of the aforementioned devotion, as we hope, and confirm themselves as sons of obedience to the aforesaid Roman Church, there will be one sheepfold of the Lord and they will be governed under the care of one shepherd.

[2] Trustworthy testimonies assert and commend the purity of your faith and your knowledge, your familiarity with the Greek language, and the diligence of your circumspection, which are necessary for carrying out these things in a healthy way with these Greeks and Syrians. Therefore, since we, although unworthy, have been established by the Lord to oversee the Lord's flock vigilantly, and are trying with the greatest longing to get all the faithful in Christ to walk on the path of the Lord's commands, so that¹⁸ from there they attain the prize of eternal salvation, we have decided that your person be chosen to carry out this ministry, you who will receive the reward of celestial glory because of it.

[3] For these reasons, ordering through an Apostolic letter to you, we request and urge your fraternity in the Lord to apply yourself carefully to preaching the word of God to these Greeks and Syrians of said kingdom in the places where you see fit, with our authority, effectively instructing and diligently informing them in the Catholic customs and faith, especially illuminating very clearly their cloudy – perhaps, in this matter – understanding that, in the sight of the Greek or Syrian priest who is celebrating, when he presents before the standing crowd, according to the Greeks' custom, a piece of bread – taken from another larger piece of bread – and wine and water put in a chalice, after their blessing and before their consecration by the priest, when it was customary for the people to prostrate themselves in reverence in accordance with custom, they should not understand or believe that the body and blood of our Lord Jesus Christ has come

18. There appear to be a few typos in the edition, which I have tacitly corrected. Here I read "ut" rather than the edition's "et."

about, nor should they presume to worship the aforesaid blessed piece of bread, wine, and water before their consecration as if there were the body and blood of our Lord Jesus Christ there, since they do not yet exist in them. However, we do not intend by this to prohibit said Greeks and Syrians from being able to entreat with reverence and devotion, as is fitting, the priest who is celebrating and presenting to them the aforesaid, as was said, blessed piece [of bread], wine, and water, and who is returning to the altar, in accordance with the custom of the aforesaid Greeks and Syrians, to perform this sacrament of the Lord's body and blood, so that he prays to God for them.

[4] You are to take pains to act skillfully and effectively in the carrying out of this preaching in such a way that you are repaid by the Restorer of all good things with the reward of eternal salvation, and so that an increase of favor and blessing from us and the same See comes to you. Given in Avignon, the third Ides of February, in the fifth year.

40

Pope John XXII to the abbot of the Cross of St Paul of Antioch [then at Stavrovouni], Avignon, 7 July 1321 [Tautu, *Acta Ioannis XXII*, #38].

[1] To his beloved son the abbot of the monastery of the Cross of St Paul of Antioch, who is staying on the island of Cyprus. It is proper for us to possess the zeal of paternal affection in the provisioning of clerics, so that in us they are so glad to have earned worthy grants of favor that they progress in the increase of virtues and gather strength with the abundance of divine praise.

[2] As our beloved son Theodore Catidi, a Greek cleric of the Limassol diocese, explained to us, the chapel of St Mary of said diocese has been vacant already for so long that because of the time elapsed its allocation has legitimately devolved on the Apostolic See according to the statutes of the [Fourth] Lateran Council [canon 23]. He humbly begged us to deign to provide him with it along with all its rights and appurtenances out of the kindness of the Apostolic See. We want to make a special favor for Theodore, who is rendered agreeable to us by the merits of his goodness. Hence through an Apostolic letter we are commanding your discretion, by yourself or through another, to confer on and assign to the aforesaid Theodore, or a procurator in his name, the same chapel – along with all the abovesaid rights and appurtenances – which otherwise belongs to the [right of] allocation, provision, or any other dispensation of our venerable brother [Olivarios], the Greek bishop of Lefkara, if what is related concerning the vacancy of this chapel is supported by the truth and it is owed to no one else by law. And when every illegal occupant has been removed from it, you are to have said Theodore or a procurator for him enjoy

peaceful possession of the chapel. Not withstanding if any people have obtained special letters of the aforesaid See or its legates concerning the provisions to be made to them of chapels in said diocese or general ones concerning ecclesiastical benefices in those parts, for which no prejudice is generated through this. [And not withstanding] if the aforementioned See has granted to the aforesaid bishop or anyone else [together] or separately that they are not to be obliged in the least in this provision and cannot be compelled to it or put under interdict, suspended, or excommunicated, or that they are not able to provide anyone with chapels and benefices of this sort in connection with their allocation, provision, presentation, or any other disposition, through Apostolic letters not making full and express and word for word mention of this grant. For from now on we consider it pointless and void if anyone with whatever authority happens to attempt otherwise concerning these things, restraining those who refuse with our authority, appeal put aside. Given in Avignon, the Nones of July, in the fifth year.

41

Pope John XXII to the abbot of the Holy Cross of St Paul of Antioch [then at Stavrovouni], Avignon, 7 July 1321 [Tautu, *Acta Ioannis XXII*, #39].

[1] To his beloved son the abbot of the monastery of the Holy Cross of St. Paul of Antioch of the Limassol diocese. The cautious kindness of the Apostolic See examines the state of all churches with anxious consideration, and with the grace of greater favor it not undeservedly extols those churches in which laudable pursuits of devotion are observed.

[2] Our venerable brother Olivarios, the Greeks' bishop of Lefkara of the Limassol diocese, recently explained before us that the incomes and yields with respect to his episcopal manse are so slight and meager that they cannot properly sustain him according to what is decent for his status. Wherefore he humbly beseeched us to deign, out of Apostolic kindness, to annex the monastery or abbey of the Holy Savior of Lefkara of said diocese – which is said to have lacked an abbot and monks for a long time past and is also completely deserted – and to unite it along with all its rights and appurtenances to the same manse in perpetuity.

[3] We consider it agreeable for that bishop, who excels in the integrity of pastoral governance, not to be harmed by the scarcity of [material] things. Therefore, if you find the aforementioned to be supported by the truth as they are reported, through an Apostolic letter we order your discretion to annex and unite, with Apostolic authority, the aforesaid monastery along with all its rights and appurtenances to the aforesaid manse in perpetuity, restraining those who refuse with ecclesiastical censure, appeal put aside. Not withstanding if any people have obtained special or general letters of the Apostolic See or its legates concerning the provisions to be made to them of monasteries, offices, churches, or any

ecclesiastical benefices in those parts, even if their intent was restraining, reservation, and decree, or any such thing. We do not want these letters and intents to be extended to said monastery, or for any prejudice to be generated toward pursuing other monasteries, offices, and any ecclesiastical benefices. [And not withstanding] if the aforementioned See has granted to any people together or separately that they cannot be put under interdict, suspended, or excommunicated through Apostolic letters not making full and express and word for word mention of this grant. Given in Avignon, the Nones of July, in the fifth year.

42

Pope John XXII to the abbot of the Cross of St Paul of Antioch and Archdeacon Peter of Genoliaco, Avignon, 7 July 1321 [Tautu, *Acta Ioannis XXII*, #39a].

To his beloved sons the abbot of the monastery of the Cross of St Paul of Antioch of the Limassol diocese and Archdeacon and Master Peter of Genoliaco, canon of Nicosia. We consider it appropriate to honesty to relieve with the comfort of piety our venerable brother co-bishops in their needs. The petition of our venerable brother Leo, the Greek bishop of Solea of the Nicosia diocese, which was brought forward, contained [the claim] that the yields of his episcopal manse of Solea are so slight and meager that he is unable to be sustained from these yields in those parts in accordance with episcopal decency. We aim to run to the bishop's aid with a remedy of Apostolic provision on this matter. Therefore, inclined by the bishop's entreaties, through an Apostolic letter we order your discretion that you, by our authority, either both of one of you, by yourselves or through another or others, have an annual provision of food and clothing rendered every year to said bishop, as long as he lives, from the goods of the monastery of St George of Mangana near Nicosia, of the Order of St Basil, by our beloved sons [Germanos] the abbot and the convent of the monastery, as is paid to any of the monks of the aforementioned monastery, compelling said abbot and convent to do it by ecclesiastical censure if necessary, after they have been warned, appeal put aside. Not withstanding any statutes and customs of the aforesaid monastery to the contrary, strengthened by oath, confirmation of the Apostolic See, or any other reinforcement. Or [not withstanding] if any people have obtained letters of the said See or its legates concerning the provisions to be made to them in food and clothing or other yearly pensions from the goods of the aforesaid monastery, for which we do not want any prejudice to be generated through this. Or [not withstanding] if the aforementioned See has granted to said abbot and convent, together or separately, that they are not obliged in the least toward this reception or provision and that they cannot be compelled to it or be put under interdict, suspended, or excommunicated, or that food and clothing and other yearly pensions are not able to be provided to anyone from the goods

of the monastery, through Apostolic letters not making full and express and word for word mention of this grant. And [not withstanding] any other indulgence of this See, general or special, whatever its tenor, which if not express or totally inserted into the present letter should not be able to impede or defer the effect of this favor in any way, and of the whole tenor of which there has to be special mention in our letter. Given in Avignon, the Nones of July, in the fifth year.

43

Pope John XXII to the abbot of the Cross of St Paul of Antioch and Archdeacon Peter of Ginoliaco, Avignon, 7 July 1321 [Tautu, *Acta Ioannis XXII*, #40].

[1] To his beloved sons the abbot of the monastery of the Cross of St Paul of Antioch of the Limassol diocese and Archdeacon and Master Peter of Ginoliaco, canon of Nicosia. It is fitting for us to possess the affections of piety in the provisioning of clerics, especially those who are in holy orders, so that those who are devoted to divine labors are suitably sustained by ecclesiastical wages.

[2] Our beloved son Lembiti Vriano, Greek deacon, canon of the Church of Solea of the Nicosia diocese, made known to us in his petition that he is not able to sustain himself properly with his ecclesiastical incomes. Therefore he humbly begged us to deign, by Apostolic kindness, to provide him with the rural church of St Niketas of said diocese, subject to the monastery of St George of Mangana near Nicosia, of the Order of St Basil, which church said Lembiti asserts is in a state of collapse in its buildings and whose fruits barely rise to an annual value of twenty gold florins.

[3] With the intuition of divine mercy, we want to make a special favor for the aforesaid Lembiti. Hence through an Apostolic letter we are commanding your discretion that both of you or one of you, by yourselves or through another or others, attend to conferring on and assigning to the aforesaid Lembiti, on our authority, the same church along with all the abovesaid rights and appurtenances to be retained by him as long as he lives, if the truth supports the aforesaid things and if it is customary for the aforesaid church to be assigned to secular clerics. You are to put him or his procurator in his name in bodily possession of the church and at the same time of the aforesaid appurtenances, and to defend him once he is put there, and have all the fruits, revenues, proceeds, rights, and incomes of the church paid to him, restraining those who refuse with ecclesiastical censure, appeal put aside, Not withstanding if any people have obtained general or special letters of the Apostolic See or its legates about provisions of churches or other ecclesiastical benefices to be made to them in said diocese or in those areas, for which we want no prejudice to be generated by this, or if the aforementioned See has granted to our beloved sons the abbot and convent of the same monastery or anyone else, together or separately, that they

are not obliged in the least toward this reception or provision and that they cannot be compelled to it or be put under interdict, suspended, or excommunicated, or that churches and ecclesiastical benefices are not able to be provided to anyone in connection with their allocation or presentation or any other arrangement together or separately, through Apostolic letters not making full and express and word for word mention of this grant. And [not withstanding] any other indulgence of this See, general or special, whatever its tenor, which if not express or totally inserted into the present letter should not be able to impede or defer the effect of this favor in any way, and of the whole tenor of which there has to be special mention in our letter. However, when the aforesaid Lembiti resigns or dies or leaves the church in any way after having obtained it, we want the free church to revert back to the monastery. Given in Avignon, the Nones of July, in the fifth year.

44

Pope John XXII to King Henry II of Cyprus, Avignon, 21 August 1322 [Tautu, *Acta Ioannis XXII*, #60].

To his dearest son in Christ Henry, the illustrious king of Cyprus. The more readily we encourage your royal highness to do those things which pertain to the praise of the divine name and touch upon the increase of your salvation, the more greatly we desire that you grow with God in the accumulation of merits through the fruit of good works. Our beloved son Germanos, abbot of the monastery of St George of Mangana near Nicosia, explained to us that he and said monastery are often harassed in his goods and things and those of the monastery by several people of your kingdom who boast when they are doing evil. Therefore, with paternal affection we request and urge your royal highness to protect and defend the abovesaid abbot and monastery from this harassment, as much as you can, having them commended to you for divine reverence, and that of the Apostolic See, so that you might always receive more favorable and kind mercy from Him who repays the smallest things with great ones, and so that we elevate your royal highness with deserved commendations. Given in Avignon, the twelfth Kalends of September, in the sixth year.

45

Pope John XXII to Patriarch-elect Peter of Jerusalem, Avignon, 21 August 1322 [Tautu, *Acta Ioannis XXII*, #61].

[1] To his beloved son Peter, [patriarch]-elect of Jerusalem. The petition of our beloved son Germanos, abbot of the monastery of St George [of Mangana] near

Nicosia, which was presented to us, contained [the claim] that, although the church of St Niketas near Nicosia is recognized to be a branch and grange of that monastery and its yield commonly comes to the value of fifty gold florins annually, nevertheless our venerable brother Leo, bishop of Solea, less truthfully suggested to us that the same church had been vacant for so long that its allocation had legitimately devolved on the Apostolic See according to the statutes of the [Fourth] Lateran Council [canon 23]. The aforementioned bishop obtained from us through our letter the provision of the [church] for Lembiti, his nephew, on an added condition, namely if it was customary for that church to be assigned as a benefice.

[2] However, said monastery is suffering a serious blow from the allocation of this church, which, as the abbot asserts, was never accustomed to being assigned as a benefice. Therefore, through an Apostolic letter we order your discretion to become informed about the aforesaid things plainly, simply, summarily, without fuss and semblance of trial, [to see] if through this information about the aforesaid it is made clear to you that you should attend to revoking said allocation and all its effects and said letter, and that you should not fail to restore the aforementioned church to the abbot and convent, along with all its rights and appurtenances, having removed the aforesaid Lembiti and any other holder from it, restraining those who refuse. Notwithstanding if the Apostolic See has granted to them or any of them together or separately that they cannot be put under interdict, suspended, or excommunicated through Apostolic letters not making full and express and word for word mention of this grant. Given in Avignon, the twelfth Kalends of September, in the sixth year.

46

Pope John XXII to Patriarch-elect Peter of Jerusalem, Avignon, 21 August 1322 [Tautu, *Acta Ioannis XXII*, #62].

[1] To his beloved son Peter, [patriarch]-elect of Jerusalem. Our beloved son Germanos, abbot of the monastery of St George near Nicosia, reported to us that although the annual episcopal revenues of Solea for our venerable brother Leo, bishop of Solea, are known to be worth 1500 gold florins annually and more, including what he acquires through his own industry, nevertheless a short time ago the same bishop suggested to us less truthfully that he was so burdened by the helplessness of poverty that he was not able to support himself properly with the income of his episcopate, and by authority of our letter he obtained for himself the provision of his food and clothing in the same monastery of St George just like one of the monks of said monastery for as long as he lives.

[2] Wherefore, through an Apostolic letter we order your discretion to become

informed about the aforesaid things simply, summarily, and plainly, without fuss and semblance of trial, [to see] if through this information about the aforesaid it is made clear to you that you should attend to revoking this provision and all its effects and said letter, and compel the bishop, through ecclesiastical censure, appeal put aside, to abstain completely from any attack or harassment to be brought against said abbot and convent and monastery on the pretext of this provision, [whether] by himself or through another or others. Notwithstanding if the Apostolic See has granted to the same bishop or anyone else together or separately that they cannot be put under interdict, suspended, or excommunicated through Apostolic letters not making full and express and word for word mention of this grant. Given in Avignon, the twelfth Kalends of September, in the sixth year.

47

Pope John XXII to Bishop Baldwin of Famagusta, the abbot the Holy Cross [then at Stavrovouni], and the archdeacon of Benevento, Avignon, 27 April 1326 [Tautu, *Acta Ioannis XXII*, #82].

[1] To his venerable brother [Baldwin], the bishop of Famagusta, and his beloved sons the abbot of the monastery of the Holy Cross of the Limassol diocese and the archdeacon of Benevento. Our beloved son Germanos, abbot of the monastery of St George of Mangana, of the Order of St Basil of the Greeks, of the Nicosia diocese, came to the Apostolic See and reported to us that, although a short time ago he had appealed to the same See against certain damages done to him and his said monastery by our venerable brother John, archbishop of Nicosia, nevertheless, James of Ancona, then a judge, and the notary Theodimos and the bachelor Constantine, who were residing in the city or diocese of Nicosia and at that time familiars of said archbishop, went to that monastery on the orders of said archbishop, broke into the room of the abbot, and broke open a certain chest that was inside it – or had them broken into – and wrongly carried away from it money amounting to 222 gold florins, and other utensils and furnishings of the abbot that were inside, to the value of 46 gold florins. Wherefore the aforementioned abbot humbly begged us to tend mercifully to providing for his and the monastery's compensation over this.

[2] Therefore, when those who are to be summoned have been summoned, if it is simply, summarily, and plainly established to you that it is thus, through an Apostolic letter we order your discretion to force, through ecclesiastical censure, by our authority, appeal removed, said James and Theodimos and Constantine, if they are alive, or those who are their survivors or heirs or successors, and also the aforementioned archbishop and all others whom you find to have done the

aforesaid things or to have had or ordered them done, or with whom you find the aforesaid money and items to have ended up, to repay the aforesaid money and items to the aforementioned abbot, if they exist, otherwise to make satisfaction to the abbot for their estimated worth, if perhaps they do not exist. If, however, the witnesses who are named withdraw themselves for a favor, hatred, or fear, you should force them to give testimony to the truth with a similar censure, appeal put aside. Notwithstanding if the same See has granted to the same archbishop or anyone else together or separately that they cannot be put under interdict, suspended, or excommunicated through Apostolic letters not making full and express and word for word mention of this grant. And if not all of you are able to take part in carrying out these things, two of you can do them. Given in Avignon, the fifth Kalends of May, in the tenth year.

48

Pope John XXII to Bishop Baldwin of Famagusta, the abbot of the Holy Cross [then at Stavrovouni], and the archdeacon of Benevento, Avignon, 27 April 1326 [Tautu, *Acta Ioannis XXII*, #83].

[1] To his venerable brother [Baldwin], bishop of Famagusta, and his beloved sons the abbot of the monastery of the Holy Cross of the Limassol diocese and the archdeacon of Benevento. Our beloved son Germanos, abbot of the monastery of St George of Mangana of the Order of St Basil of the Greeks, of the Nicosia diocese, came to the Apostolic See and reported to us that a short while ago our venerable brother John, archbishop of Nicosia, disregarding the order of law and against justice, removed from or deprived the abbot of the administration of the spiritual and temporal affairs of the monastery on his ordinary authority, to no small prejudice and harm to the abbot, and he successively assigned Dionysios and Paysios, monks of another monastery, to the administration of the spiritual and temporal affairs of the monastery. And [he reported] that it was recognized that no jurisdiction over this belonged to the archbishop, and from their bad administration said monastery is said to have incurred great damages. Because of this the abbot humbly decided to take recourse to us over this matter.

[2] Our venerable brother Peter, the bishop of Palestrina, whom we have specially assigned as auditor in said parts in the case of this removal and privation, decided to pronounce a definitive sentence in favor of said abbot on his restoration to the abbacy, rule, administration, and possession of said monastery. Therefore, when those who are to be summoned have been summoned, if it is established to you that it is thus, through an Apostolic letter we order your discretion to compel, on our authority, insofar as is just, those administrators and

each one of them and any others who have been assigned by the archbishop while this litigation was pending or afterwards, to render an account of this administration to the abbot and to restore the remaining things to him and to make satisfaction to the aforementioned monastery for the damages, if you find that they or any one of them inflicted them by reason of this bad administration, if they should be pay, otherwise [you should compel] the archbishop who assigned such administrators to make satisfaction to the abbot and monastery for the aforesaid damages. If, however, the witnesses, *etc.* Notwithstanding if to the same archbishop or anyone else, together or separately, *etc. as in preceding letter.* And if not all, *etc.* Given in Avignon, the fifth Kalends on May, in the tenth year.

49

Pope John XXII to King Leo V of Armenia, Avignon, 29 April 1326 [Tautu, *Acta Ioannis XXII*, #85].

[1] To his very dear son in Christ Leo, the illustrious king of Armenia. With our prayers we direct you with pleasure, and with our exhortations we urge you, dearest son, toward the things through which you might show yourself favorable to God and likewise obtain His protection and favor for your and your subjects' persons and for your kingdom.

[2] Our beloved son Germanos, the abbot of the monastery of St George of Mangana of the Order of St Basil, near Nicosia, came to the Apostolic See and reported to us (1) that the monastery of St George Lampron of the same order, situated at the Gate of Lampron near the city of Tarsus in your kingdom, had been conferred by your forefathers on said monastery of Mangana in a pious grant, (2) that from that time it was subject to said monastery of Mangana as a limb to the head and was accustomed to be ruled and governed on the orders of said abbot of the monastery of Mangana by monks of the abovesaid monastery from time immemorial, and (3) that afterwards our venerable brother John, archbishop of Nicosia, in hatred and anger against said Abbot Germanos, related to you through his letter – although he was in no position to involve himself in this – that you should admit the monk Makarios of said monastery of Mangana, at that time an adversary of said abbot, to the monastery of Lampron, and that you should commit the governance and care of the monastery to him, (4) and in the aforementioned matters you carried out all that said archbishop had written. Next, since the Tartars had invaded the Kingdom of Armenia, said Makarios despoiled the aforementioned monastery of silver vessels, jewels, and other goods. Angry with him because of this, you conferred said monastery of Lampron to certain outsiders, as it asserted, and from this allocation said monastery incurred serious damages.

[3] Therefore, since it is fitting for the donations of pious princes that are conferred on monasteries and religious places in pious generosity to be enduring, nor should the crime or offense of Makarios flow freely at the expense of the monastery of Mangana, we attentively request, warn, and urge your royal serenity to restore and have restored said limb with all its rights and appurtenances to the monastery of Mangana out of reverence to the Apostolic See and to us and for the salvation of your soul, and to have it left in peace to be governed by the monks of the monastery of Mangana in the customary manner, especially since the aforementioned abbot is not at fault over the aforesaid matters. Nor should you allow the offenses of Makarios – who was installed there not by him but by said archbishop in his hatred – to have repercussions at his and his monastery's expense. But you should let these prayers, admonitions, and exhortations have a full hearing, so that when said limb has been reintegrated and fully restored to the aforementioned monastery of Mangana, we can commend your highness to the Lord with fitting praise. Given in Avignon, the third Kalends of May, in the tenth year.

50

Pope John XXII to Raymond of Bequini, patriarch of Jerusalem, Avignon, 1 October 1326 [Tautu, *Acta Ioannis XXII*, #89].

[1] To his venerable brother Raymond, patriarch of Jerusalem. We draw bitter breaths and are moved with much disturbance of the mind when, within the boundaries of the Catholic Church, committed to our care by divine arrangement, we perceive errors against the purity of the Catholic faith to abound. It is our responsibility to be vigilant to eradicate them the more skillfully, the greater the dangers to the faith and the faithful are feared to come from them.

[2] Indeed, a very troublesome report sent to us from parts overseas has it that in the Kingdom of Cyprus, where the worship of the Catholic faith is thriving, some sons of iniquity, called Nestorians and Jacobites, whose most wicked sects were once condemned and damned in the General Councils, are raising themselves against the knowledge of God and not fearing to enter into damned errors and heresies against the truth of the orthodox faith. The aforesaid Nestorians damnably profess that there are two persons in Our Lord, Jesus Christ, and that He is the adoptive son of God by an inhabiting grace, and said Jacobites profess that there inheres in Christ only a single nature. They have there their own separate churches, in which they publicly proclaim errors and heresies of this sort, not without great dangers to their own souls and to those of many others. And in addition, [the report has it] that some of the Greeks, who reside in that kingdom as the majority population, deny Purgatory and Hell, asserting deceitfully and rashly that none of the saints is in Paradise until after the Last Judgment, but that

they rest in a fixed place without punishment in the meantime. And they also set about to assert the same thing concerning evil people. And there are other Greeks there who do not partake of the Sacrament of the Altar unless it is brought to them from Constantinople, and several others even presume to administer the sacrament to beasts of burden in their feed for health.

[3] We desire to uproot the aforesaid errors and heresies from inside the borders of the faithful, and we have full faith in the Lord concerning the exquisite prudence of your circumspection. Therefore, through an Apostolic letter, we commit to and order your fraternity to take pains to aim – in accordance with the foresight God has given you – at uprooting the aforesaid errors and heresies and at reforming and correcting those things that you find to be in need of reform and correction in that area, so diligently that you most richly deserve divine grace and that of the Apostolic See. For we concede to you the full and free faculty of directing and carrying out those things in these matters which are suitable and also of restraining those who refuse and rebel with ecclesiastical censure, appeal put aside. Given in Avignon, the Kalends of October, in the eleventh year.

51

Pope John XXII for the record, Avignon, 20 July 1327 [Tautu, *Acta Ioannis XXII*, #93].

[1] For the future record of the matter. Out of obligation of the pastoral office, by which the care for all the churches has been committed to us by the highest arrangement, we must be careful that such men are appointed as prelates in churches, especially cathedrals, through whose cautious care those churches would prosper in spiritual and temporal affairs.

[2] Therefore, if the Church of Nicosia is now vacant, or when it first happens to become vacant, we desire the foresight of the Apostolic See to provide [that church] with such a person who can and knows how – as is useful in parts near infidels – to resist what rises up in opposition and otherwise to preside over and do good for that church usefully in spiritual and temporal affairs. For these and other sure and reasonable motives, which have led our soul to this, we are reserving the provision of this church this time to our disposition and that of the same See. We strictly prohibit our beloved sons the chapter of this church and each and every person to whom the election, appointment, or any other provision to appoint the pastor in this church pertains, from presuming to proceed in any way to an election, appointment, or provision of this sort. For from now on we consider it pointless and void if anyone knowingly or in ignorance should happen to attempt anything in these matters. However, it is not by any means our intention by the tenor of the present [letter] to have reserved the churches that the Greeks hold in the city and diocese of Nicosia. Thus let no one, *etc.* Given in Avignon, the thirteenth Kalends of August, in the eleventh year.

Pope John XXII to the dean and cantor of Nicosia Cathedral, Avignon, 21 March 1328 [Tautu, *Acta Ioannis XXII*, #96].

[1] To his beloved sons the dean and cantor of the Church of Nicosia. Our beloved son Paysios, a monk of the monastery of St George of Mangana near Nicosia, of the Order of St Basil, came to the Apostolic See and with his petition made it known to us that when at one time our beloved son Germanos, abbot of said monastery, had been suspended from the administration of the monastery's spiritual and temporal affairs by our venerable brother [John], the archbishop of Nicosia, on his ordinary authority, the same Paysios, who had been assigned as *oikonomos* and administrator of said monastery's goods by said archbishop, assumed the administration and *oikonomatum* of said monastery for some time. And [he made it known to us] that afterwards the aforementioned abbot obtained a certain letter from us that Paysios would be obliged to render an account of his deeds and administration first before Peter of blessed memory, patriarch of Jerusalem, and afterwards before our venerable brothers Bishops [Gerard] of Paphos and [Baldwin] of Famagusta. But the aforementioned bishops, less rightly, threw Paysios out of the room or cell that he was accustomed to having in said monastery and they did not nor do they supply him with the expenses from the goods of the monastery for his time for rendering this account, as the law requires. Rather they even made off with the books or charters of his computations and kept said charters with themselves patently and openly. Because of this many things could be added and deleted in the aforesaid books to Paysios's prejudice.

[2] And since the aforementioned Paysios was not able to receive justice from said bishops and to resist the power of the abbot, as he asserts, he sought to take recourse to the clemency of the Apostolic See, not without great dangers, humbly begging us to have compassion on him with paternal affection and to order,¹⁹ through our letter, that said room be restored to him and also that satisfaction be made to him from the goods of said monastery for the expenses for his time for rendering the account, and that satisfaction be made to him for the expenses that he had to and must necessarily undertake for coming recently to the Roman Curia and returning from it, and that in the rendering of the abovesaid reckoning and account said bishops should observe, without fuss and semblance of a trial, summarily and plainly in all things the custom which prelates and other, secular, lords of the Kingdom of Cyprus were accustomed to observe with other writers, officials, and administrators who render reckonings and accounts.

[3] Therefore, through an Apostolic letter, when all and everyone who should be summoned concerning the aforesaid have been summoned, we order your

19. Reading "mandaremus" rather than the edition's "mandamus."

discretion to provide the fulfillment of justice on our authority, plainly and without fuss and semblance of trial, restraining those who refuse by our authority, appeal put aside. But we do not intend by this to revoke our commission made to the aforesaid bishops concerning the aforesaid matters, but rather when you have repaired the damages, as is just, if you find that they were done to said Paysios, they should be able to proceed according to the contents of our letter directed to them over these matters. And if both of you cannot take part in carrying out these things, one of you should carry them out. Given in Avignon, the twelfth Kalends of April, in the twelfth year.

53

Pope Benedict XII to the archbishop of Nicosia, Elias of Nabinaux, Avignon, 30 May 1338 [Tautu, *Acta Benedicti XII*, #24].

[1] To his venerable brother Elias, archbishop of Nicosia. We have received with the customary kind affection the letter of your fraternity presented to our Apostolate, the text of which has been carefully understood. We commend greatly in the Lord your care that you make sure to apply, in carrying out your pontifical duty, toward directing, attracting, and inducing the various nations of Greeks, Armenians, Jacobites, and other Easterners living in the Kingdom of Cyprus – which is your province and that of your Church of Nicosia – to the rite of and obedience and devotion to the Holy Roman Church, as we have gathered from the tenor of the letter. Since from these and similar works of yours incomparable fruits can follow, which are useful and meritorious, for you, the Holy Church of God, and the Catholic faith in those places, we ask and exhort your fraternity that the zeal of your sincerity and diligence in these matters not cool off, but rather continue and grow, so that your merit with God will then be increased.

[2] Further, concerning the clothes from Outremer of various colors and fringed with gold that you sent to us, we return to you plentiful expression of our gratitude. But whatever may occur to you concerning the state of those regions, as often as it seems fitting, please endeavor to keep us further informed. Given in Avignon, the third Kalends of May, in the fourth year.

54

Pope Clement VI to Bishop George Noreghes of the Armenians of Cyprus and to the archbishop of Nicosia, Philip of Chamberlac, Avignon, 19 April 1344 [Tautu, *Acta Clementis VI*, #41].

[1a] To his venerable brother George Noreghes, bishop of the faithful Armenians

living on the island of Cyprus, greetings. The Roman pontiff, the successor of blessed Peter and the vicar of Jesus Christ, is accustomed to taking for himself persons proven in the sincerity of [their] faith for the guidance of souls, not only so that they present the standard of living rightly to the people committed to them and show them the path of truth, but also so that they are under their own [guidance] through their meritorious life and so that they make progress by example.

[1b] To his venerable brother [Philip], archbishop of Nicosia, greetings, etc. It goes to the increase of your health and fame if you honor ecclesiastical dignitaries, especially those endowed with pontifical rank, with the kindness of the suitable protection and favor.

[2] The faithful Armenians living on the island of Cyprus are accustomed to having an Armenian bishop as prelate, and our beloved son Elias [of Nabinaux], the cardinal-priest of San Vitale, at that time archbishop of Nicosia, the metropolitan of the bishops of all the aforementioned island, having received laudable testimony concerning you [George], appointed you [George] bishop and pastor for the aforementioned Armenians. But you [George], wanting to conform yourself in all things to the rite of the Holy Roman Church, came to the Apostolic See personally. For sure reasons, on our orders you [George] yielded the guidance and care of said Armenians, which Elias had committed to you [George], to the hands of our beloved son Bertrand [of Deucio, 1338-48], the cardinal-priest of San Marco. We allowed this relinquishment to him with an authoritative statement, and afterwards, by our command, you [George] received the sacrament of Baptism and all orders according to the rite of the Roman Church, on the condition that you [George] had not received the sacrament and orders properly beforehand.

[3] Wanting to provide these Armenians with a worthy pastor, we decided to direct our soul to you [George], who have been connected with their conditions and customs for a long time and who have also known their language, and who, learned in the sacred page and in the truth of the Catholic faith, as we have learned from trustworthy testimonies, could instruct said Armenians in these things. Having thought about these things carefully, by Apostolic authority and on the advice of our brothers, we have appointed you [George] bishop and pastor for the aforementioned Armenians, both clergy and lay, committing fully the care and guidance of their souls to you [George]. And subsequently we had our venerable brother Hannibald [of Ceccano], bishop of Tusculum, carry out the service of consecration at the same See.

[4a] [To George:] Therefore via an Apostolic letter we order your fraternity to go to the aforesaid island personally and take on the care and guidance in the above-mentioned manner of a pastor of all pastors so faithfully and skillfully

that, along with the flock committed to you, you deserve more fully to attain the reward of eternal happiness and our thanks and blessings and those of the Apostolic See.

[4b] [To Philip:] Therefore, since the same bishop is able to make progress more easily in the care of the faithful Armenians living on said island of Cyprus committed to him, your favor is recognized to be very useful to him. We ask and urge your fraternity attentively, ordering you through an Apostolic letter to attend, with the protection of your favor, to this bishop, your suffragan, having him more willingly approved out of reverence to us and to the Apostolic See, to increase and preserve his rights, so that he can, by the help of your kindness, prosper more happily in the guidance of the aforesaid faithful Armenians committed to him, and so that you are able thereby to merit more fully divine mercy and the benevolence of said See.

[5] Given in Avignon, the thirteenth Kalends of May, in the second year.

55

Archbishop Philip of Nicosia, for the record, Nicosia, 18 May 1353 [*Cartulary* #130].

[1] In the name of the Lord, amen. We, Philip, by divine permission archbishop of Nicosia, want before all else to take precautions so that our successors who will be at the time, or our Nicosia Church, will not be able in the future to consider themselves burdened by the things that we have written below to be established or arranged. With the advice and consent of the venerable men, Lords Salvus of Cyprus, dean, Alexander of Alexandria, cantor, Baldwin of Chiavari, John of Verni, and James of Gazant, canons, and of our chapter and our Nicosia Church, specially summoned and gathered for each and every of the below written items at the sound of the bell by Sir Peter Beghini, notary, our sworn nuncio, in the customary manner and place, in the treasury of our Nicosia Church, since there were no more men present at the time, nor residing in the place whence they should be summoned or called for this purpose by the law or custom of this our Nicosia Church: We concede and give and irrevocably donate and perpetually assign to the venerable man, Lord Salvus of Cyprus, dean of our Nicosia Church, who will collect it in the name and on behalf of our entire chapter and our secrète and for our church: (1) the annual rent of 400 white bezants of Cyprus, that we bought and acquired for carrying out the below-written items, from the village of Pelendri in the diocese of Limassol, belonging to the illustrious lord, Lord John of Lusignan, prince of Antioch and son of the most serene prince and lord Hugh, King of Jerusalem and Cyprus; Lady Alice of

Gibelet, wife of John of Remes, by the order and consent of her husband, sold this [rent] to us for the price of 6400 white bezants of Cyprus, with the will and express consent of the illustrious prince and our lord, Lord Hugh, by divine providence king of Jerusalem and Cyprus, and of the aforementioned lord prince, his son, on Monday the eleventh day of the month of March, in the year of our Lord 1353, Indiction six, with our lord king investing us, as is established in the writings of his secrète and his marshalsea and expressly, on the other side, in our archiepiscopal secrète; this [rent] is to be raised and collected perpetually each year by our aforesaid archiepiscopal secrète; and (2) a certain house of the late Sir Eustachios of Two Horses, which is situated on the property of our Nicosia Church near the cemetery of St Michael of Nicosia, [a house] bordered on two sides by the public cart-way, on another side by the house of Paul of Jerusalem, and on the other side by the house of the servants of our said Nicosia Church; this house was attached to us for a debt of a fixed quantity which the aforementioned Eustachios owed to us at the time of his death for specific and manifest reasons; we have granted this house for the purpose of his habitation to Sir Nicholas of Negroponte, the scribe of our secrète, for his lifetime for fifteen bezants to be paid annually by Sir Nicholas.

[2] We have given and assigned these revenues to said Lord Salvus to collect as above in the name and on behalf of our canons and chapter and our secrète and church, for each and every one of the below-written burdens and expenses that are to be established and arranged by us, to be sustained and supported in all things and through all things, as is contained and asserted and ascribed in particular in the chapters annotated by us below. The first chapter of which begins thus:

[3] Because consideration for the souls of the dying, to appease and offer sacrifices to God for them, is holy and healthy, therefore we, Philip, by the grace of God archbishop of Nicosia, wishing to look out for the salvation of our soul, with the will and consent of the canons and our chapter as above, make, establish, create, and allot in our Nicosia Church one permanent chaplaincy or assise, commonly called "of the Requiem." Whenever it happens to become vacant, he who is the archbishop of the same Nicosia Church at the time should have to and must provide for this chaplaincy or assise and prebend and also for its proceeds, products, and revenues, with the will and consent of his Nicosia chapter, with a capable and worthy resident priest, who should be obliged to remain in the office of the church and of the same assise as is the way in the case of the other assises. The priest legitimately set up and established in the same assise should have to and must celebrate Mass every day in the same church and utter prayers – as God will direct him – for our soul and those of our parents and benefactors, unless on some days he is impeded from the celebration of Mass by a reasonable cause, on which days he can have another worthy priest celebrate it,

for one day each week, left up to his will and conscience. And because it is right and fitting that he who serves at the altar should live from the altar, therefore we want and establish that the same priest established as stated above shall receive and must receive 176 white bezants of Cyprus each year for his livelihood from the goods and incomes that we bought, gave, donated, and assigned to said venerable man, the lord dean, and to the secrète of our Nicosia Church, namely 88 bezants on the feast of the Lord's Nativity and the same amount on the feast of the Nativity of blessed John the Baptist. Again, [he must receive] thirty modia of wheat on the feast of All Saints. We assign to him the 176 bezants of rent income and the thirty modia of wheat in rent to be paid for all time each year in Nicosia by our archiepiscopal secrète.

[4] Again, with the will, consent, and advice of the canons and our chapter as above, we establish and decree that every year in our Nicosia Church, namely on the next Sunday following the feast of Pentecost, the feast of the Holy Trinity shall be celebrated solemnly as a principal feast both in the service and in the bells, lights, and all the other solemnities that are to be done, even in procession. Distributions [for the poor] shall be given from our archiepiscopal secrète and other customary things [done] perpetually on the same feast as is accustomed to occur in the same church on other principal and processional feasts.

[5] Again, we establish as above that on the same day, before vespers, solemn vigils shall be said for the dead, and on the following day Mass shall be said each year for our soul after our passing from this life, and even in the meantime for the souls of our parents and benefactors. 25 bezants shall be given each year by our archiepiscopal secrète from the aforementioned revenues that we bought and gave and assigned to the same secrète as above, for distribution [to the poor] and other necessary and also fitting things on the same anniversary, in accordance with the practice of the church, namely six bezants for candles, and four bezants for the ringing of the bells, and the rest for the college [of canons].

[6] Again, we establish and decree as above that the feast of St Barnabas the Apostle, which is celebrated on the third Ides of June, shall occur and be solemnized as a double both in the service and the bells, lights, and all other solemnities that are accustomed to occur in our Nicosia Church. This blessed apostle, after the battles of many labors and [leaving] the marks of his preaching, received the martyr's crown here on the island of Cyprus. By an ordinance of a former legate [Eudes] of the Apostolic See, vigils and octaves were established for him in the whole Kingdom of Cyprus. And of the revenues we bought and also donated and assigned as above, we assign 25 bezants of rent perpetually to be paid by our archiepiscopal secrète each year for distribution [to the poor] and other necessities on the same feast of St Barnabas, namely three bezants in the treasury for candles, two bezants for the ringing of the bells, and the rest for the college [of canons].

[7] Again, considering that the divine administration, which never fails in its

operation, has been accustomed to grant glory and honor according to the merits of each single person, that to us the Holy Roman Church stands out as the superior and mistress of all others in honoring the saints, and that it is fitting, we, Philip, by the grace of God archbishop of Nicosia, with the will and consent of the canons and our aforesaid chapter summoned and gathered for this purpose as above, establish and decree that from now on each year the feasts of blessed Lawrence the martyr (to whom from the foundation of the Church vigils and octaves have been assigned) and of blessed Martin, bishop and confessor (to whom from the Church's common observance octaves are assigned) – men [considered] throughout the entire globe as two chandeliers of the victorious light of martyrs and as triumphant suffering confessors – shall be celebrated and solemnized as semidoubles²⁰ both in the service and in the lights and bells and other customary things in our church. And so that the octaves of our Nicosia Church's dedication feast do not have to impede the feast of blessed Martin, namely on the day of the third Ides of November, on which the feast of blessed Martin is celebrated throughout the whole entire globe, with the will and consent of the canons and our aforementioned chapter as above, we establish and decree in a similar way that the feast of the octaves of the aforesaid dedication shall be celebrated and solemnized in the same church in vigils or on the day preceding the feast of blessed Martin, so that nothing of the customary things of the octaves of the feast of the dedication is omitted on that day.

[8] Again, with the will and consent of said canons and our chapter, specially summoned and gathered for this purpose as above, we establish and decree that the feast of blessed Epiphanius, bishop and confessor, shall be celebrated in our Nicosia Church from now on as a semidouble as above. He fought in the struggle for Christ's name, and after [leaving] the marks of his virtues and preaching, here on the island of Cyprus the victor departed to the heavens. They venerate his head among the other holy relics in the same Nicosia Church. And for distribution [to the poor] and other necessary and, according to the manner of the church, customary things that occur in semidouble feasts, of the revenues that we bought and donated as above each year for each of the aforesaid feasts, we assign fifteen bezants of rent perpetually to be paid by our archiepiscopal secrète, namely three bezants for candles and the rest for the college [of canons].

[9] Again, with the will, consent, and advice of the canons and our chapter, gathered in the customary manner as above, we establish and decree that the feast of blessed Blaise, bishop and martyr, which is celebrated on the third Nones of February, shall be solemnized as a semidouble in our Nicosia Church, as we have otherwise established, both in the service and also in the bells, lights, and

20. According to the on-line *Catholic Encyclopedia*, "The semidouble feast has two Vespers, nine lessons in Matins, and ends with Compline. The antiphons before the psalms are only intoned. In the Mass, the semidouble has always at least three 'orationes' or prayers."

all other solemnities that are accustomed to occur in our said Nicosia Church.

[10] And to perfect and complete the aforesaid items, for the lease of the aforesaid house of the late Sir Eustachios of Two Horses, situated in the above-mentioned place and belonging to us as above, we assign fifteen bezants in rent to be paid perpetually each year and put toward the aforementioned items, according to the practice of our above-mentioned church, namely three bezants for candles and the rest for the college [of canons]. We want the aforesaid Sir Nicholas of Negroponte to pay these fifteen bezants each year as long as he holds the aforesaid house that we have assigned to him, and afterwards [we want] our archiepiscopal secrète [to pay] in turn, the ownership and all the rights of the house perpetually remaining with the church and our secrète. But we want the surplus left over from the aforesaid revenues to remain for the use and utility of our aforesaid church and archiepiscopal secrète.

[11] In testimony of all of these items and for their fuller efficacy, with the will and consent of the canons and our aforesaid chapter, we ordered our present regulations and decrees to be written, read, and published by our public notary who is written below [Gerardinus Tauri of Parma], and strengthened by the protection of seals, namely ours and the chapter's. These things were done in the treasury of our oft-mentioned Nicosia Church, on the eighteenth day of the month of May, in the year of the Nativity of the Lord 1353, the sixth Indiction. All the aforesaid were present, and the venerable and discreet men, Lords Godfrey Spantoza, the archdeacon of Famagusta and official of the Nicosia Church; Peter Trencapodius, the prior of the cemetery of St Michael of Nicosia; Raymond of Ibelin, canon of Paphos; brother James of Albegno of the Order of Preachers and the chaplain of said lord archbishop; and the priest Benedict of Sasolis, the priest John Pascalis, [and] the priest Balian of Antioch, assized of the aforementioned Nicosia Church; and many other assized of said church, witnesses to the aforesaid who were specially called and invited.

56

Pope Innocent VI is requested to confirm the pact between Bishop Guy of Ibelin and the chapter of Limassol and Abbot Germanos and the monks of Blessed Mary of Stilo, Villeneuve-lès-Avignon, 3 June 1360 [Tautu, *Acta Innocentii VI*, #131].

[1] Your devoted petitioners Bishop Guy and the chapter of Limassol, and Abbot Germanos and the convent of the monastery of Blessed Mary of Stilo of the Order of St Basil, of the diocese of Limassol, notify your holiness that, although the abbot of that monastery, whoever it is at the time, is obliged to pay tithes to the bishop by reason of the income said monastery receives in said diocese, nevertheless, because the aforesaid bishop and abbot were not able to obtain full

and certain knowledge about the value of this income, the same bishop and abbot, moved by their conscience, made a certain agreement between them, with the advice and consent of the aforesaid chapter and convent, so that neither of them would be defrauded in any way in this payment or reception, as is more fully contained in the public document composed for this. But because this agreement looks to the advantage of the aforesaid church and monastery, they, holding this agreement to be settled and agreeable, humbly beg that you deign to confirm it by Apostolic authority out of sure knowledge, with repair of the defects if perhaps they happen to occur in it, having the tenor of said document of your confirmation inserted in a letter, along with the suitable clauses.

[2] "Let it be shown in the chancellery and, if it is reasonable, let it be confirmed. – G. without any other reading G." Given in Villeneuve, in the diocese of Avignon, the third Ides of June, in the eighth year.

57

Pope Urban V to the archbishop of Nicosia, Raymond of la Pradele, Avignon, 21 September 1363 [Tautu, *Acta Urbani V*, #45a].

[1] To his venerable brother Raymond, archbishop of Nicosia, greetings, etc. Your merits demand that with paternal benevolence we honor your person, devoted to us and the Apostolic See. We concede to you freely those things through which you might be able to look out for others in a healthy way, especially in those things that pertain to the salvation of souls, and to render yourself beloved to them.

[2] As we have understood from the tenor of your petition that you presented to us, because diverse persons of various nations and sects and parts of the world come together in the Kingdom of Cyprus and reside there, sometimes it happens that several bishops and other ecclesiastical dignitaries, who obtain ranks and other ecclesiastical benefices and who are defiled by the blemish of schism and heresy, deviate toward your city and diocese and province of Nicosia and stay there. Therefore, inclined by your entreaties in this matter, by Apostolic authority and by the tenor of the present [letter], we concede to your fraternity the full and free faculty of (1) absolving these bishops and other dignitaries who are in the city and diocese and province from the chains of excommunication that they incur because of this, according to the form of the Church, provided that the aforesaid bishops and dignitaries, when the grace of divine inspiration is acting, voluntarily return to the unity of the Church and their conversion is made known to you through evident signs, after said schismatics and heretics have completely renounced their schism and heresy before the clergy and people, and after they have received a caution so that they do not slide back into the infection of the

depravity of schism and of heresy, which they will have to answer for; (2) of granting the same bishops and dignitaries a dispensation for the breaches of canon law that they contracted because, while they were bound by these sentences, they celebrated or rather profaned the divine offices, or got involved in them, once a healthy penance and other things that must by law be imposed have been imposed on them, as was stated; (3) of restoring and admitting to the carrying out of the [holy] orders thus received those who even knowingly received [holy] orders from schismatic bishops according to the procedure of the Roman Church; and (4), by the aforementioned authority, of dispensing those of said bishops who otherwise than canonically preside over churches in that city and diocese and province, so that they are able to hold and carry out the government and administration of these churches, and [of dispensing] other dignitaries who otherwise than canonically obtain ranks and ecclesiastical benefices, so that these dignitaries are able to retain licitly these ranks and benefices, the aforementioned and any other Apostolic regulations to the contrary notwithstanding. Given in Avignon, the eleventh Kalends of October, in the first year.

58

Pope Urban V to the archbishop of Nicosia, Raymond of la Pradele, Avignon, 24 March 1365 [Tautu, *Acta Urbani V*, #72; = Pope Gregory XI to Archbishop Raymond of Nicosia, Avignon, 25 January 1373, in Tautu, *Acta Gregorii XI*, #54].

[1] To the venerable brother [Raymond], archbishop of Nicosia, greetings, etc. The petition that was shown to us on behalf of our venerable brother Leodegar [of Nabinaux], bishop of Famagusta [1348-65], contained [the claim] that, although all jurisdiction over each and every Greek and Syrian dwelling in the city and diocese of Famagusta, regardless of his station, is recognized to pertain to the bishop of Famagusta, whoever he is at the time, even according to an old and approved custom that has been observed peacefully until now, nevertheless once upon a time the bishop of the Greeks of Karpasia of the diocese of Famagusta, Hilarion of good memory, falsely asserted that this jurisdiction pertained to him. Because of this there arose the matter of a legal case over this jurisdiction between Hilarion and Baldwin of good memory, bishop of Famagusta [1310-28], a predecessor of said Leodegar, before Peter [of Pleine-Chassaigne] of good memory, bishop of Rodez [to 1314], at that time legate of the Apostolic See in the parts of Cyprus, in which the city and diocese of Famagusta are situated. Each of them asked the legate to pronounce and declare that this jurisdiction applied to him. Finally, the aforementioned legate, having learned the merits of this case and the observed order of law, promulgated a definitive

sentence in favor of said Baldwin, bishop of Famagusta. No appeal was made, the sentence went into effect, and said Bishop Baldwin and his successors as bishop of Famagusta in their time from then on for forty years had been and were in peaceful possession or quasi possession of this jurisdiction and the exercise of it.

[2] Afterwards, however, our venerable brother John, the bishop of the Greeks of the same place of Karpasia, also falsely alleged that the aforesaid jurisdiction applied to him, and, petitioning the aforementioned Bishop Leodegar to pronounce that said jurisdiction pertained to him in front of our venerable brother Peter [Thomae], the patriarch of Constantinople [1364-6], at that time bishop of Corone [1359-63] and legate of said See in parts overseas, [John] dragged it into court. Said Peter, then bishop of Corone and legate, having learned the merits of the case and the observed order of law, promulgated a definitive sentence in favor of said Leodegar and against said John, imposing on John, the Greeks' bishop, perpetual silence over the aforementioned matters. And although Bishop John, as is asserted, decided to appeal the sentence, he did not pursue the appeal within the legal time limit, although he was able to.

[3] Consequently, inclined by Bishop Leodegar's supplications, through an Apostolic letter we commit to and order your fraternity, if it is so, to have, by Apostolic authority, the aforementioned sentences observed firmly, as they were pronounced justly, invoking if necessary the aid of the secular arm for this, restraining those who refuse with our authority, appeal put aside. Notwithstanding if the aforesaid See has granted to any people collectively or separately that they cannot be put under interdict, suspended, or excommunicated by Apostolic letters that do not make full and express and word for word mention of this grant. Given in Avignon, the ninth [eighth for Gregory] Kalends of April [February for Gregory] in the third year.

59

Pope Urban V, request from King Peter I's ambassadors, Avignon, 29 October 1366 [Tautu, *Acta Urbani V*, #120].

[1] For the ambassadors of the king of Cyprus. Again, [they request] that you deign to give to the abbot and convent of St George of Mangana outside the walls of Nicosia, Greek *calogeri*, that is monks, who are obedient to the Roman Church, a conservatory letter for five years, because of the distance of the journey, or another letter for a greater period of time, as it pleases your holiness, and conservators as is the procedure, namely the abbot of Blessed Mary of Episcopia of the Premonstratensian Order, and the abbot of the Holy Cross of the Order of St Benedict.

[2] Let it be for five years. B.

Pope Urban V to Archbishop Raymond of Nicosia, Montefiascone, 29 May 1368
[*Cartulary* #131].

[1] That the sacraments of the Church should not be given in houses.²¹

[2] Bishop Urban, servant of the servants of God, to his venerable brother the archbishop of Nicosia, greetings and Apostolic blessings. Undoubtedly it is a heavy offense, which is to be suppressed with the suitable remedy of discipline, to introduce noxious abuses, and it is not a light sin, nor should it be left to impunity or silence, to neglect healthy customs and observances that are worthy of praise. Recently, however, as our very dear son in Christ Peter, the illustrious king of Cyprus, reported to us in a narration full of complaints, we have learned – not without cause for mourning – that, although those who were at the time the kings of Cyprus and others of their royal household, as well as all the Catholic Christians of the city of Nicosia, were accustomed to go in person to the aforesaid Nicosia Church of metropolitan rank to hear the divine offices on Sundays and feast days, and even to follow the processions to it that are accustomed to occur, suitably honoring this their sacramental mother church, as it is also still observed by said king and his household and family in a Catholic and praiseworthy manner, however, – oh grief! – instigated by the Devil, many barons, knights, and burgesses of said city – would that they remain professors of the orthodox faith – having no fear of passing over such a venerable and laudable custom, now have their sons and daughters baptized and contracts of marriage solemnized in their own and profane houses, and they have masses and other divine offices celebrated in their houses and in their rooms, leaving said church orphaned of its spiritual children and empty on Sundays and feast days. And a great part of the noble and plebeian women of the aforesaid city, attacking the Catholic faith that they orally profess with ways and deeds contrary to it, frequent the churches of Greeks and schismatics, hearing the divine offices according to their rite, which is different from the form of the Roman Church, to the prejudice and subversion of the oft-mentioned faith and of the faithful who are settled in the areas of the Orient.

[3] Wherefore, on behalf of said king, it was humbly asked of us that we take care to deal with these matters with fatherly diligence. We desire that such sicknesses be relieved with fitting antidotes so that they are unable to spread ruinously any further. Therefore, strictly commanding by the tenor of the present letter, in virtue of holy obedience and on pain of excommunication, we order your fraternity to attend to drawing back and recalling from the aforesaid abuses

21. The rubric is in French.

each and every person of both sexes of the aforesaid and other cities of the Kingdom of Cyprus or dwelling in their districts who are supposed to profess the Catholic faith, as much as you can with God. You should impose the punishment ordered in the canonical decrees or another by the judgment of your discretion, invoking for this if necessary the help of whoever the king of Cyprus is at the time. You should compel these persons to attend and hurry back to their churches to hear the divine [offices] and for the ecclesiastical sacraments in appropriate cases. Nevertheless [this is to be done] in such a way that the aforesaid king, his household, and certain barons of the aforesaid Kingdom of Cyprus who have solemn chapels endowed and supported with priests sufficiently, according to the judgment of your discretion, are licitly able to hear Mass and the other divine offices on holidays. Notwithstanding if the Apostolic See has granted to anyone together or separately that they cannot be put under interdict, suspended, or excommunicated through an Apostolic letter not making full and express and word for word mention of this grant. Given in Montefiascone, in the Bagnarea diocese, the fourth Kalends of June, in the sixth year of our pontificate.

61

Pope Gregory XI to the official of Nicosia, Avignon, 24 March 1372²² [Tautu, *Acta Gregorii XI*, #26].

[1] To his beloved son the official of Nicosia, greetings etc. The petition shown to us on behalf of our beloved son John of Trebizond, a citizen of Nicosia, heir of the late Trifillos of Trebizond, a layman, contained [the claim] that at one time said Trifillos – who was a Greek, as John himself is – in composing his last will and testament for his goods, bequeathed in his testament among other things certain vineyards of an annual value of 700 gold florins to the monastery of Agros of the Order of St Basil of the diocese of Nicosia, on such a condition, namely that the abbot of said monastery, whoever it would be at the time, would maintain in that monastery perpetually four Greek priests and one cleric who would celebrate [services] for the souls of Trifillos himself and of his parents in places arranged by Trifillos, and [the abbot] would be obliged to pay these priests and cleric with the income from the aforesaid vineyards. And when Trifillos completed his life, the aforementioned [terms] were observed by the abbots of said monastery, whoever they were at the time – until the same monastery was provided with the person of our beloved son Trifillis²³ as abbot of said monastery.

22. The edition has a typographical error: “1272.”

23. As Tautu notes, this is obviously not the same person as Trifillos.

[2] However, the same petition added that the aforementioned Abbot Trifillis allowed these vineyards and a certain church standing among them – in which two of these priests were supposed to celebrate – to be devastated and destroyed, and he refused and refuses to pay these priests and the cleric those things in which he is obliged to them. Therefore, on behalf of said John, we were humbly begged to deign to take care these things out of Apostolic kindness, so that the will of said deceased does not remain uncompleted because of the apathy and negligence of said Abbot Trifillis.

[3] Therefore, inclined by these entreaties, through an Apostolic letter we order your discretion to determine what is canonical, once those who should be summoned have been summoned, and their depositions have been heard, appeal removed, having what you determine firmly observed through ecclesiastical censure. If, however, the witnesses who are named withdraw themselves for a favor, hatred, or fear, you should force them to give testimony to the truth with a similar censure, appeal withdrawn. Notwithstanding if the Apostolic See has granted to Abbot Trifillis or anyone else together or separately that they cannot be placed under interdict, excommunicated, or suspended, by letters that do not make full and express and word for word mention of this grant. Given in Avignon, the ninth Kalends of April, in the second year.

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Corrigenda

The reviewers in such journals as *Speculum*, the *Journal of Medieval History*, and the *Journal of Ecclesiastical History* have had very kind words about the *Cartulary of the Cathedral of Holy Wisdom of Nicosia* (Nicosia 1997). Nevertheless, the introduction and edition contain various errors, and I would like to point out the important ones (ignoring those of the *Cartulary's* scribe):

Page 63, line 1: "bulls" should be in italics.

Page 71, in the chart: #69 is from Acre; #76 should have a "U" in column **h**; #79 should have an "E" in column **h**; #121 is by Pope Clement VI, not Archbishop Philip; #136 is in both Italian and Latin.

Page 77, 5th line from bottom: "quicquid^h" should be "quicquid^{hh}."

Page 85, line 10 of #7: punctuate thus: "...subditis ipsius sententias rite latas, sibique ac..."

Page 115: #29 reference should be to Röhricht 1437, not 1347 (check!)

Page 116, line 2: "domini" should read "domino."

Page 124: #36 should be dated 1232 rather than 232 (!).

Page 138: #43 is given at Acre, not Nicosia.

Page 144: #48 should be dated to 1249 rather than 1248; see above on dating.

Page 160: #57 should be dated to 1287 rather than 1286; see above on dating.

Page 170: #64 is authored by the abbot of "Cîteaux," not of the Cistercian order.

Page 174-5: the complaint involved in #68 is Archbishop Hugh's, not Eustorge's.

Page 176, line 1: "ecclesiam" and "memoriam" should be "ecclesie" and "memorie," respectively.

Page 182, in apparatus: variant "o)" is incorrectly rendered "c)."

Page 185, lines 9-10 of #75: variant j) should follow "prolongem," variant k) should follow "nequiciem," and variant l) should follow "spiritu."

Page 193, line 9 from bottom: "invocens" should be "invoces."

Page 197, line 24: add comma after "viderentur."

Page 204, in apparatus: for variant eu) "exp" should be in italics, and all words in variants ev) and fj) should be italicized.

Page 209, #80: note that the *Cartulary* scribe often confuses "vos" and "nos," and "vobis" and "nobis."

Page 225, line 22: read "Romane" rather than "Romani." The *Cartulary* scribe makes various errors in this section.

Page 237, line 16: read "R[anulphus]" rather than "R[adulphus]."

Page 239, items 17 and 18: summaries are erroneous; see translation.

Page 241: variant by) applies to "pretexta" in line 12.

Page 244, #94: if the rubric is correct on p. 245, this bull is dated 1 June 1472.

Page 267, #105: should be dated 1232.

Page 306, item 1: this should refer to a chaplaincy rather than a chapel.

Page 308, line 27: put commas around "parentum."

Page 309, lines 5 and 16; page 310, line 30: put commas around "luminaribus."

Page 313, line 3 of document: the second "est" should be "et."

ΚΑΤΑΛΟΓΟΣ ΕΚΔΟΣΕΩΝ
ΚΕΝΤΡΟΥ ΕΠΙΣΤΗΜΟΝΙΚΩΝ ΕΡΕΥΝΩΝ

ΠΡΩΤΗ ΣΕΙΡΑ
ΠΗΓΑΙ ΚΑΙ ΜΕΛΕΤΑΙ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΙΣΤΟΡΙΑΣ
TEXTS AND STUDIES OF THE HISTORY OF CYPRUS

(Σε ορθογώνιες αγκύλες [] δίνεται η μετάφραση του τίτλου στα αγγλικά, στην περίπτωση που αυτός είναι γραμμένος στα ελληνικά. Με τρεις αστερίσκους*** σημειώνονται οι εξαντλημένες (out of print) εκδόσεις).

1. Th. Papadopoulos, *Social and Historical Data on Population (1570-1881)*, Nicosia 1965. C£ 8
19 x 28, pp. 248 + plates III
2. Ι. Π. Τσικνοπούλλου, *Κυπριακά Τυπικά [Cypriot monastic rules]*, Λευκωσία 1969 (βλ. φωτ. επανέκδοση, αρ. 37). ***
19 x 28, σελ. x + 64 + 143 + πίν. IV
3. Ι. Κ. Χασιώτη, *Ισπανικά Έγγραφα της Κυπριακής Ιστορίας (ΙΣΤ' - ΙΖ' αι.)* [Spanish documents on the history of Cyprus], Λευκωσία 1972. C£ 8
19 x 28, σελ. xviii + 145
4. Ζαχ. Ν. Τσιρπανλή, *Ανέκδοτα Έγγραφα εκ των Αρχείων του Βατικανού (1625-1667) [Unpublished documents on Cyprus from the Vatican archives]*, Λευκωσία 1973. C£ 10
19 x 28, σελ. xx + 288 + πίν. VI
5. Π. Χιδίρογλου, *Οθωμανικά Έγγραφα της εν Κύπρω Μονής Κύκκου [Ottoman documents of Kykko Monastery]*, Λευκωσία 1973. C£ 9
19 x 28, σελ. viii + 176 + πίν. XXXIV
6. G. S. Georghallides, *A Political and Administrative History of Cyprus 1918-1926, with a Survey of the Foundations of British Rule*, Nicosia 1979. ***
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7. Αικ. Χ. Αριστείδου, *Ανέκδοτα Έγγραφα της Κυπριακής Ιστορίας από το Αρχείο της Ραγούζας (ΙΣΤ' αι.) [Unpublished documents on the history of Cyprus from the Ragusa archives]*, Λευκωσία 1980. C£ 9
19 x 28, σελ. v + 215 + πίν. XVIII
8. Θ. Παπαδοπούλλου, *Προξενικά Έγγραφα του ΙΘ' Αιώνα [Consular reports of the 19th century]*, Λευκωσία 1980. C£ 15
19 x 28, σελ. lxxx + 551
9. Κρ. Γ. Τορναρίτου, *Το Πολιτειακόν Δίκαιον της Κυπριακής Δημοκρατίας [The legal system of the Republic of Cyprus]*, Λευκωσία 1982. C£ 8
19 x 28, σελ. xix + 223

10. J. Richard (avec la collaboration de Th. Papadopoulos), *Le Livre des Remembrances de la Secrète du Royaume de Chypre (1468-1469)*, Nicosie 1983. Cf 10
19 x 28, pp. xxxv + 263
11. C. N. Constantinides, *Higher Education in Byzantium in the thirteenth and early fourteenth centuries (1204 - ca. 1310)*, Nicosia 1982. Cf 8
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12. Ι. Π. Θεοχαρίδη, *Κατάλογος Οθωμανικών Εγγράφων της Κύπρου από τα Αρχεία της Εθνικής Βιβλιοθήκης της Σόφιας (1571-1878)* [*Ottoman documents on the history of Cyprus from the National Library of Sofia*], Λευκωσία 1984. Cf 5
19 x 28, σελ. 355 + πίν. Χ
13. G. S. Georghallides, *Cyprus and the Governorship of Sir Ronald Storrs: the Causes of the 1931 Crisis*, Nicosia 1985. Cf 20
19 x 28, pp. x + 746 + 1 map
14. C. P. Kyrris, *The Kanakaria Documents 1666 -1850: Sale and Donation Deeds, edited with introduction and commentary*, Nicosia 1987. Cf 10
19 x 28, pp. xxxix + 272 + 4
15. G. Grivaud, *Excerpta Cypria Nova*, vol. I, Nicosie 1990. Cf 8
19 x 28, pp. 212
16. Αικ. Χ. Αριστείδου, *Ανέκδοτα Έγγραφα της Κυπριακής Ιστορίας από το Αρχείο της Βενετίας (1474-1508)* [*Unpublished documents on the history of Cyprus from the Venetian archives*], τόμ. Ι, Λευκωσία 1990. Cf 23
19 x 28, σελ. xxii + 444 + πίν. XXII
17. A. Pouradier Duteil - Loizidou, *Consulat de France à Larnaca - Documents inédits pour servir à l'histoire de Chypre*, tome I (1660-1696), Nicosie 1991. Cf9.50
19 x 28, pp. 313 + tableaux VII
18. C. N. Constantinides and R. Browning, *Dated Greek Manuscripts from Cyprus to the year 1570* [Dumbarton Oaks Studies XXX - Cyprus Research Centre], Nicosia 1993. Cf 60
22 x 31, pp. xxxvi + 449 + plates CCXXXX
19. Αικ. Χ. Αριστείδου, *Ανέκδοτα Έγγραφα της Κυπριακής Ιστορίας από το Κρατικό Αρχείο της Βενετίας* [*Unpublished documents on the history of Cyprus from the Venetian archives*], τόμ. ΙΙ (1509-1517), Λευκωσία 1994. Cf 25
19 x 28, σελ. xii + 440 + πίν. XXII

20. A. Pouradier Duteil - Loizidou, *Consulat de France à Larnaca - Documents inédits pour servir à l'histoire de Chypre*, tome II (1696-1699), Nicosie 1995. Cf 14
19 x 28, pp. 372 + tableaux X + 1 carte de Chypre
21. D. M. Metcalf - A. Pitsillides, *The Silver Coinage of Cyprus*, 1285-1382, Nicosia 1996. Cf 19
19 x 28, pp. XV + 120 + 48 plates
22. G. Grivaud - N. Patapiou, *La guerra di Cipro*, Nicosia 1996. Cf 13
19 x 28, pp. 352
23. Β. Νεράντζη-Βαρμάξη, *Σύνταγμα Βυζαντινών Πηγών Κυπριακής Ιστορίας, 4ος-15ος αιώνας* [*Compilation of Byzantine Sources Concerning Cyprus from the 4th to 15th century*], Λευκωσία 1996. Cf 10
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24. R. Katsiaounis, *Labour, Society and Politics in Cyprus during the Second Half of the Nineteenth Century*, Nicosia 1996. Cf 14
19 x 28, pp. 274
25. N. Coureas - Chr. Schabel (ed.), *The Cartulary of the Cathedral of the Holy Wisdom of Nicosia*, Nicosia 1997. Cf 8
17.5 x 24, pp. 348
26. Π. Παπαπολυβίου, *Η Κύπρος και οι βαλκανικοί πόλεμοι. Συμβολή στην Ιστορία του κυπριακού εθελοντισμού* [*Cyprus and the Balkan Wars. Contribution to the History of the Cypriot Volunteers*], Λευκωσία 1997. Cf 11
17.5 x 24, σελ. 456
27. Τζωρτζής (Μ)πουστρός (Γεώργιος Βο(σ)τρ(υ)ηνός ή Βουστρώνιος). *Διήγησις Χρονίκας Κύπρου*. Κριτική έκδοση, Εισαγωγή, σχόλια γλωσσάρι, πίνακες και επίμετρο Γιώργος Κεχαγιόγλου [*The Chronicle of George Boustronios. A critical edition, by George Kehagioglou*], Λευκωσία 1997. Cf 30
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28. Ρ. Κατσιαούνης, *Η Διασκεπτική 1946-1948. Με ανασκόπηση της περιόδου 1878-1945* [*The Consultative Assembly 1946-1948. With a survey of the period 1878-1945*], Λευκωσία 2000. Cf 12
17 x 24, σελ. 580
29. D.M. Metcalf - A. Pitsillides, *The White Bezants and Deniers of Cyprus 1192-1285*, Nicosia 1998. Cf 17
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30. Αικ. Χ. Αριστείδου, *Ανέκδοτα Έγγραφα της Κυπριακής Ιστορίας από το Κρατικό Αρχείο της Βενετίας [Unpublished documents on the history of Cyprus from the Venetian archives]*, τόμ. ΙΙΙ (1518-1529), Λευκωσία 1999. C£ 16
19 x 28, σελ. 331 + πίν. IV+3 φωτ.
31. A. Pouradier Duteil - Loizidou, *Consulat de France à Larnaca – Documents inédits pour servir à l'histoire de Chypre*, tome ΙΙΙ (1700-1702), Nicosie 1999. C£ 16
19 x 28, pp. 449 + tableaux IV
32. Π. Παπαπολυβίου (εισ.-επιμ.), *Υπόδουλοι Ελευθερωταί αδελφών αλυτρώτων: Επιστολές, πολεμικά ημερολόγια και ανταποκρίσεις Κυπρίων εθελοντών από την Ήπειρο και τη Μακεδονία του 1912-1913. [Enslaved liberators of unredeemed brothers: Letters, war diaries and reports by Cypriot volunteers from Epirus and Macedonia 1912-1913]*, Λευκωσία 1999. C£ 15
17.5 x 24, σελ. 480
33. Ν. Παταπίου, *Το Προξενείο της Επτανήσου Πολιτείας στην Κύπρο 1800-1807 και ο Πρόξενος Παναγής Αγγελάτος [The Consulate of the Ionian Republic in Cyprus 1800-1807 and the Consul Panagis Angelatos]*, Λευκωσία 2000. C£ 15.50
19 x 28, σελ. 410
34. Ι. Κ. Χασιώτης, *Πηγές της Κυπριακής Ιστορίας από το Ισπανικό Αρχείο Simancas. Από τη Μικροϊστορία της Κυπριακής Διασποράς κατά τον ΙΣΤ΄ και ΙΖ΄ Αιώνα [Sources on the History of Cyprus from the Spanish archive of Simancas. From the microhistory of the Cypriot diaspora during the 16th and 17th centuries]*, Λευκωσία 2000. C£ 8.50
19 x 28, σελ. 224
35. D. M. Metcalf - A. Pitsillides, *The Gros, Sixains and Cartzias of Cyprus 1382-1489*, Nicosia 2000. C£20.00
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36. C. Otten-Froux, *Une enquête à Chypre au XV^e siècle, Le sindicamentum de Napoleone Lomellini, Capitaine Génois de Famagusta (1459)*, Nicosia 2000. C£12.00
19 x 28, pp. 310
37. Ι. Π. Τσικνοπούλλου, *Κυπριακά Τυπικά [Cypriot monastic rules]*, Λευκωσία 2001, φωτ. επανέκδοση. C£6.50
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